TK̓EMLÚPS
TE SECWÉPEMC

Cultural Heritage Conservation Bylaw

Bylaw Number 2025-02

Approved by Kúkwpi7 and Tkwenk̓wenem7íple7 the 11th day of August, 2025

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WHEREAS Section 35 of the Constitution Act, 1982, Schedule B to the Canada Act 1982 (UK), 1982, c 11 recognizes and affirms the existing aboriginal self-government and treaty rights of the aboriginal peoples of Canada;

WHEREAS Tk̓emlúps te Secwépemc (TteS) has an inherent right and obligation to maintain and preserve a distinct cultural identity and way of life for the present and future generations of its people;

WHEREAS TteS asserts its proprietorship and stewardship over all its cultural heritage within TteS's ancestral lands, including within reserve lands under the *Indian Act* and reserve lands set aside by authority of Governor James Douglas (the "Douglas Reserve");

WHEREAS TteS is concerned that TteS's heritage, including cultural landscapes, areas of ancestral and cultural significance, sacred and spiritual places and archaeological sites, may be adversely affected by increased land and natural resource development within TteS's ancestral lands and reserves;

WHEREAS section 81 of the *Indian Act,* and in particular sub-sections (1)(c), (g), (h), (q) and (r) empowers Council of TteS to make by-laws for certain purposes;

WHEREAS TteS intends to take steps to protect TteS' heritage from disturbance, desecration or destruction;

AND WHEREAS the Tkwenk̓wenem7íple7 of Tk̓emlúps te Secwépemc did enact *the "Kamloops Indian Band Heritage Conservation By-Law"* on the 15 day of April 1997, and wishes to repeal the said bylaw and replace it with this bylaw;

NOW THEREFORE BE IT RESOLVED that the Kúkpi7 and Tkwenk̓wenem7íple7 of Tk̓emlúps te Secwépemc, at a duly convened meeting, enacts the following by-law.

SHORT TITLE

This bylaw may be cited as the "*Tk̓emlúps Cultural Heritage Conservation Bylaw, 2025-02*" (this "Tk̓emlúps Heritage Bylaw").

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1. PREAMBLE

Yi7éne re tmicws-kucw. Yecwemíns re xwexweyt re stem.

This is our land. We have to look after everything that belongs to us.

1.1. Tk̓emlúpsemc heritage is complex and dynamic. This bylaw is a living document reflecting our views on heritage as we continue to express our traditions in relation to the ever-changing world. The policies presented in this document are subject to periodic reconsideration and revision.

1.2. The Tk̓emlúpsemc (literally "people of Tk̓emlúps" or "The People of the Confluence," formally known as the Kamloops Indian Band, hereafter Tk̓emlúps te Secwépemc or TteS) have had a long and active involvement in the protection, management, and interpretation of their cultural heritage. This has included the development of educational curricula, language classes, archaeological surveys and excavations, support of a major cultural education center and museum facility, as well as a number of other programs and projects.

1.3. There is also growing concern over increased land and natural resource development within our ancestral lands and the effect that this will have on cultural knowledge, spiritual sites, heritage sites and cultural belongings, ancestral remains, and hunting and gathering locations both on and off reserve lands.

1.4. This document is meant to guide heritage management on TteS reserve lands. It outlines TteS principles of cultural heritage preservation, describes the nature of cultural heritage that are included within the Bylaw, and provides a process for the identification, protection and management of our cultural heritage.

2. PURPOSE, VALUES, AND PRINCIPLES

2.1. Purpose

(a) The general purpose of the Tk̓emlúps Heritage Bylaw is to:

(i) Ensure that considerations of cultural heritage be involved in any development and use of TteS's tmícw and resources on TteS reserve lands;

(ii) Encourage and facilitate the protection and conservation of the TteS's heritage.

(b) The Tk̓emlúps Heritage Bylaw shall apply to TteS reserve lands only including Certificate of Possession lands; however, elements of this document may be adapted to be used under a broader heritage law throughout all Tk̓emlúps ancestral lands.

(c) The Bylaw shall govern and apply to all on reserve land developments; minerals and forestry resources; exploitation projects, including rivers and waterways; and any other projects or works that may have an impact on the cultural heritage of TteS. The Bylaw shall apply to any and all research that may be proposed by anthropologists, archaeologists, ethnographers, historians or any other disciplinary research where the Tk̓emlúpsemc cultural traditions are the subject of study. Without restricting academic inquiry, and in the interest of respect and authenticity, all such investigations should be carried out under a Tk̓emlúps Research Protocol Agreement (Schedule A).

(d) The interests of TteS should be paramount over all other interests and TteS will have sole authority over those dealings which impact most on TteS reserve lands.

(e) The purpose of this Bylaw is to allow the Tkemlúpsemc to:

(i) protect, preserve and manage Tkemlúpsemc cultural heritage in a manner consistent with Tkemlúpsemc values, beliefs and protocols;

(ii) serve as a guide when cooperating with others – both Tkemlúpsemc and non-Tkemlúpsemc – in the protection, preservation and management of Tkemlúpsemc heritage on TteS reserve lands;

(iii) maintain the integrity of Tkemlúpsemc history and heritage through the respectful treatment of Tkemlúpsemc knowledge, cultural belongings and sites;

(iv) support Tkemlúpsemc cultural revitalization.

2.2. Values

(a) TteS has an inherent right and obligation to maintain and preserve a distinct cultural identity and way of life for both present and future generations. The following guiding principles are interconnected to Secwépemc protocol on the respectful treatment of Tkemlúpsemc heritage sites and cultural belongings. These guiding principles are drawn from Secwépemc teachings. Presented below are five such principles applied throughout this Bylaw:

(i) honour and respect for the wisdom and teachings of the Ancestors and Elders;

(ii) maintain our connection to our tmícw and resources within our ancestral lands (i.e., seasonal rounds);

(iii) take what you need and don't ruin, waste, or destroy everything;

(iv) responsible, sustainable stewardship of tmícw, waters, air and other resources (care-taking responsibility);

(v) dignity and respect for each individual.

2.3. Principles

(a) Cultural heritage is rooted in the language and life ways of Tkemlúpsemc, which is also considered an intimate knowledge of and attachment to places of spiritual and cultural significance. This cultural landscape is known through the oral traditions which have been passed down from generation to generation and represents the very essence of culture for the Tkemlúpsemc.

(b) The Tkemlúpsemc believe it is artificial to separate matters of spiritual, cultural, heritage and economic significance. In this way, TteS's work on its land claim position is part and parcel of a broader cultural heritage law. And all these initiatives support an understanding of the Tkemlúpsemc sovereign jurisdiction.

3. PROVISIONS

3.1. Definitions

For the purposes of this Heritage Bylaw, the following definitions apply:

(a) **"Alter"** or **"alteration"** means to change in any manner and, without limiting this, includes making an improvement and any action that reduces the heritage value of a heritage area or a cultural belonging.

(b) **"Activity"** means any development, plan, grant, license, permit, amendment, approval, authorization, transfer, transaction, operation, Ground Disturbance, Subdivision, or other action or proposed action on TteS Lands which may have an impact on TteS cultural heritage area or cultural belonging.

(c) **"Ancestral Lands"** means territories and resources that have been traditionally occupied and used by the Tkemlúps people for generations.

(d) **"Ancestral Remains"** means human remains that are likely of Indigenous ancestry.

(e) **"Applicant"** means a person proposing an Activity on TteS Lands that is the subject of an application.

(f) **"Application"** means any application required to proceed with any Activity on TteS Lands submitted in accordance with Section 8.

(g) **"Archaeologist"** means a qualified person recognized by TteS as having the skills and knowledge to conduct archaeological studies and make recommendations in accordance with the TteS heritage bylaw.

(h) **"Certificate of Possession"** is a document issued granting a First Nation member lawful possession of a specific parcel of reserve land under the Indian Act.

(i) **"Chief and Council"** means the Chief and Council elected "TteS Council", according or "Council", "TteS Council" to the custom of TteS.

(j) **"Conservation"** includes any activity undertaken to protect, preserve or enhance TteS's heritage.

(k) **"Cultural Belonging"** includes any cultural item or artifact having heritage significance or having any such characteristics in combination with an economic use (e.g., food sources).

(l) **"Cultural Heritage Working Group"** means a collective body focused on the preservation, management, and promotion of cultural heritage.

(m) **"Cultural Landscape"** means a geographical area that has been modified, influenced, or given special cultural meaning by people. This concept encompasses both the physical environment, and the cultural practices, beliefs, and values associated with that place.

(n) **"Designate"** means to designate under Section 5.

(o) **"Develop"** or **"Development"** means any use of reserve land which involves a change, an expansion or an alteration of an existing use without restricting the generality of the foregoing, includes the extraction of or exploitation of resources from the land.

(p) **"Heritage"** means having aesthetic, cultural, educational, ancestral, or spiritual significance to the TteS and includes tangible and intangible heritage consisting of cultural landscapes, TteS values, areas of ancestral significance, sacred and spiritual places, cultural language, archaeological sites, villages, structural features and landscape features, or, having any such characteristics in combination with an economic use.

(q) **"Heritage Areas"** means land, including land covered by water, that has heritage value to the Secwépemc, and, without restricting the generality of the foregoing, includes cultural landscapes, areas of ancestral significance, sacred and spiritual places, archaeological sites, and structural or landscape features of heritage significance.

(r) **"Heritage Investigation"** means an archaeological or other systematic study of an area with the purpose of revealing its history and establishing whether there is a need for protection and conservation; this may include the recording, removal and analysis of artifacts, features and other material necessary for the purpose of the heritage investigation.

(s) **"Heritage Project Information Form"** means a form submitted to the Development Approval Board, Planning and Engineering or Lands, Leasing and Taxation Departments by a TteS Member, TteS Department, TteS Member Business, Leaseholder or External Developer containing information required by the Knúcwmens le Sxwixwéytemc Archaeology Services Ltd. for heritage review.

(t) **"Intangible Heritage"** means Intangible cultural heritage refers to the practices, representations, expressions, knowledge, and skills that communities, groups, and sometimes individuals recognize as part of their cultural heritage. This includes the instruments, objects, artifacts, and cultural spaces associated with these practices.

(u) **"Knúcwmens le Sxwixwéytemc"** means helpers of those who have passed on before us.

(v) **"Kúkpi7"** means chief. In the context of the Tk̓emlúps te Secwépemc community, Kúkpi7 refers to the chief, a person who holds the highest leadership position within the community.

(w) **"Proponent"** means any person, firm or corporation, whether or not they are related to or part of the TteS, which is seeking to develop land within the reserve.

(x) **"Province of British Columbia"** or **"B.C."** means the Government of B.C.

(y) **"Reserve"** means the reserve lands of the TteS, including designated lands, and including lands held under a Certificate of Possession or a Certificate of Occupation, as defined by the Indian Act.

(z) **"Secwépemc Member"** means a person who is a member of the Secwépemc or "TteS Member" and registered on the Secwépemc/TteS list as defined in the Indian Act.

(aa) **"Tangible Heritage"** means physical artifacts produced, maintained, and transmitted intergenerationally in a society. It includes artistic creations, built heritage such as buildings and monuments, and other physical or tangible products of human creativity that are invested with cultural significance in a society.

(bb) **"Tk'emlúpsemc"** means the people of the confluence. The name reflects their location at the confluence of the Simpcwétkwe (North Thompson River) and Secwépemcétkwe (South Thompson River).

(cc) **"Tkwenem7íple7"** means Councillor. In the context of the Tkemlúps te Secwépemc community, tkwenem7í7ple refers to a councillor, a person who holds a leadership position within the community.

(dd) **"Tkwenkwenem7íple7"** means Council. In the context of Tkemlúps te Secwépemc community, Tkwenkwenem7íple7 refers to all of council who are the decision-making body of TteS.

(ee) **"Tmícw"** means land.

(ff) **"TteS"** means Tkemlúps te Secwépemc.

3.2. Area of Application and Scope of Bylaw

(a) This bylaw applies to Persons using, developing or impacting Tkemlúpsemc reserve lands.

(b) The scope of the application of this bylaw is Tkemlúps te Secwépemc reserve lands.

(c) This bylaw establishes:

(i) requirements with respect to the designation of cultural heritage areas or belongings on TteS reserve lands;

(ii) a process with respect to the protection of TteS cultural heritage areas and cultural belongings on TteS reserve lands;

(iii) guidelines with respect to securing and storing cultural heritage data and information;

(iv) a process for proposed activities on TteS reserve lands that may impact cultural heritage areas or belongings;

(v) guidelines for potential developers for avoiding and/or mitigating potential impacts on cultural heritage areas or belongings on TteS reserve lands.

(d) No person may carry out any activity or study on TteS reserve lands except with compliance with this bylaw, and all applicable bylaws, protocols and policies.

4. SERVICES

4.1. The Knúcwmens le Sxwixwéytemc Archaeology Services Ltd. (KSAS) is an entity wholly owned by TteS that is authorized and directed to, on an ongoing basis:

(a) monitor and oversee known and suspected cultural heritage areas and belongings on TteS reserve lands;

(b) investigate suspected cultural heritage areas or belongings and report their findings, as appropriate to TteS Kúkpi7 and Tkwenḱwenem7íple7;

(c) conduct studies in accordance with this bylaw in relation to any development on TteS reserve lands;

(d) oversee the work of any external archaeological personnel conducting research on TteS reserve lands;

(e) review all applications required by TteS for proceeding with ground disturbing activities on TteS reserve lands and make cultural heritage management recommendations;

(f) attempt to reduce, mitigate, investigate and document any damage to cultural heritage areas or belongings on TteS reserve lands;

(g) inspect and monitor ground disturbance activities in order to determine whether a person or developer is in compliance with this bylaw;

(h) perform any other actions or duties related to cultural heritage in accordance with this bylaw, and as directed by Tḱemlúps Kúkpi7 and Tkwenḱwenem7íple7.

5. HERITAGE DESIGNATION

5.1. Tḱemlúpsemc heritage activities and sites, though rooted in the past, include contemporary activities which evolve and continue to change in nature overtime. Broadly speaking, the TteS's cultural heritage includes, but is not necessarily limited to the following:

(a) **Ancestral and Cultural Landscapes**, which encompass traditional land use areas such as hunting places, plant procurement zones, food preparation sites, berry picking areas, and fishing locations;

(b) **Sacred and Spiritual Places**, which refer to locations of ceremonial, mythological, or spiritual importance, including burial sites, rock cairns, alignments, and fasting or vision quest sites;

(c) **Areas of Cultural Significance**, which include historically meaningful places such as named locations (toponyms), known battle sites, trap lines, trails and trail markers, culturally modified trees and features, village and camp sites, and traditional hunting infrastructure such as traps, weirs, hunting drives, and fences;

(d) **Archaeological Sites**, which consist of physical remnants of past human activity, such as rock art, cache pits, house pits, roasting pits, stone quarries, ochre procurement areas, lithic scatters, hearths, and buried cultural deposits; and

(e) **Documentary Evidence,** which comprises materials found in libraries, archives, museum collections, and other repositories—on or off TteS reserve lands or ancestral lands—including archaeological collections, ethnographic and linguistic documentation, archival maps and photographs, soil and faunal samples, radiocarbon data, oral histories, and related records;

5.2. TteS will establish a Cultural Heritage Working Group comprised of staff members from the Language and Culture Department, the Knúcwmens le Sxwixwéytemc Archaeology Services Ltd. and an appointed TteS Knowledge Keeper (the Working Group). The TteS Cultural Heritage Working Group (CHWG) will abide by the TteS CHWG Terms of Reference (Schedule B) as approved by TteS Kúkpi7 and Tkwenkwenem7íple7 that outlines the purpose, membership structure, roles and responsibilities and terms for its members. One of the main tasks of the CHWG shall be to identify culturally sensitive lands within the TteS reserves for heritage designation in accordance with the following categories:

Category 1: Designated Heritage Areas in Need of Protection

These are areas which, in the opinion of the Working Group, are currently in need of protection. This may include Cultural Landscapes where access to cultural activity areas and associated resources for use by the Tkemlúpsemc must be maintained, and—where possible—re-established and enhanced.

Category 2: Areas Not Currently in Need of Protection

These are areas which, in the opinion of the Working Group, do not currently require protection. This may include lands that have been subject to previous assessment or areas where protection will be determined on a case-by-case basis.

Category 3: Areas with Uncertain Protection Requirements

These are areas where the level of protection required is not yet clear. The Working Group has determined that there is potential to encounter Archaeological Sites, Cultural Landscapes, and Areas of Ancestral Significance. Any heritage belongings in these areas must not be disturbed—intentionally or otherwise—without proper authorization.

Category 4: Areas of Highest Significance (No Development Permitted)

These areas are of such cultural and spiritual importance that no development which interferes with them will be allowed. All Sacred and Spiritual Places are considered immovable and essential to Tkemlúpsemc well-being. As such, they must be protected from any form of disturbance and will be designated as Category 4 heritage resources.

Access to Category 4 areas by TteS membership may be granted for cultural practices on a case-by-case basis pending proper authorization.

Monuments may be placed at these locations to demarcate their significance.

A shared, protected location—similar to Category 4 areas—may be designated for the reinterment of heritage belongings recovered during Archaeological Impact Assessments conducted on TteS lands, ensuring they are safeguarded from future development. These areas will be recorded in the Heritage Register.

5.3. The recommendations of the working group for designating lands shall be submitted to TteS Tkwenkwenem7íple7 for approval.

5.4. TteS Tkwenkwenem7íple7 shall approve or amend the designation of lands submitted to it by the working group.

5.5. With respect to category #3 lands (i.e., uncertain level of protection) any proposed development or ground disturbance within the lands shall adhere to the Heritage Management Process as outlined in Section 8 of this bylaw.

6. HERITAGE PROTECTION

6.1. TteS may make resolutions, or regulations, or issue permits or other authorizations for Persons, projects, or proposed projects that may impact TteS cultural heritage, to ensure compliance with this bylaw (each an "Authorization").

6.2. No person shall do any of the following unless the person first obtains an Authorization:

(a) damage, desecrate or alter any of TteS's heritage areas or remove material that constitutes part of that heritage.

(b) damage, desecrate or alter a burial place or remove ancestral remains or any cultural belonging from a burial place.

(c) damage, alter, cover or move a cultural rock painting or cultural rock carving.

(d) damage, excavate, dig in or alter a site, or remove any cultural belonging or ancestral remains from a site that contains artifacts, features, materials or other physical evidence of cultural value with respect to Tkemlúpsemc habitation or use.

6.3. TteS may attach terms or conditions to any Authorization, including but not limited to:

(a) assessment

(b) monitoring

(c) reporting

(d) adaptive management; and

(e) Other appropriate terms and conditions as determined by TteS in accordance with this bylaw.

6.4. Chance Find Discoveries of Culture Heritage Sites or Belongings

(a) TteS may issue an Archaeological Chance Find Procedure (Schedule C) to outline how to manage for the possibility of encountering archaeological remains during development construction as per the bylaw.

(b) The processes described enable archaeological concerns to be managed concurrently with development activities.

(c) The objective is to allow the development schedule to proceed, but with built in compliance monitoring to ensure that if archaeological material is encountered, it is managed appropriately as required.

6.5. Discovery of Ancestral Remains and Burial Sites

(a) If Ancestral Remains or Burial Sites are found on TteS lands all activities must cease immediately and the subsequent actions must be in accordance with the Tkemlúps te Secwépemc Ancestral Remains policy (Schedule D).

7. HERITAGE REGISTER

7.1. The KSAS maintains access to and updates multiple heritage registers (including information related to cultural belongings, sites, and areas) on behalf of TteS through the Tkemlúps Community Knowledge Keeper database and the Provincial B.C. Remote Access to Archaeological Data (RAAD) system (if appropriate).

7.2. Access to this information may be used by TteS for the purposes of:

(a) the designation of lands in accordance with Section 5;

(b) recording and documenting heritage belongings, sites, and areas, as well as ancestral remains in accordance with this Bylaw;

(c) applications issued pursuant to this Bylaw;

(d) authorized requests from TteS membership.

7.3. Unless otherwise recommended or required by TteS, any cultural belonging collected or returned to TteS shall be held in the Secwépemc Museum and Archives Repository.

7.4. All heritage information stored within the Heritage Registers shall be treated as confidential including information concerning TteS Cultural Knowledge, Title and Rights, as a result of research and Studies, and shall not disclose or use any such information for any purpose other than the purposes set out in this bylaw except with written consent from TteS Kúkpi7 and Tkwenkwenem7íple7 in accordance with the Tkemlúps Community Knowledge Keeper Data Management Policy (Schedule E).

7.5. TteS may choose not to disclose information to external parties regarding cultural heritage.

8. HERITAGE MANAGEMENT PROCESS

8.1. REGULATION APPLICATIONS

(a) All Applications such as building permits or requests for access to TteS reserve lands required by TteS prior to proceeding with, or making amendments, alterations or modifications to, an Activity shall be submitted directly to the TteS Development Approval Board (DAB), Planning and Engineering Department or the Lands, Leasing and Taxation Department based on the nature of the application.

(b) Those departments shall communicate directly with the Applicant respecting all Applications referred in section 8.1.

(c) Those departments shall conduct an initial screening of all Applications referenced and shall ensure that any Applicant that proposes any Activity within Category 1, Category 2 or Category 3 lands submits a completed Heritage Project Information Form (Schedule F).

(d) The Planning and Engineering or Lands, Leasing and Taxation Departments shall forward each Heritage Project Information Form (HPIF) they receive from an Applicant with all supporting documentation attached to the KSAS for review.

8.2. REVIEW PROCESS

(a) Upon receipt of the HPIF and associated documentation under section 8.1, the KSAS shall review the Application and:

(i) Determine if additional information is required from the Applicant and obtain such information through the TteS DAB, Planning and Engineering or Lands, Leasing and Taxation Departments;

(ii) Conduct a desktop review to determine if the proposed Development may impact a known or unknown heritage site;

(iii) Make recommendations if any further heritage assessment or investigation is required prior to or in the course of the development;

(iv) Return a completed HPIF form to the TteS DAB, Planning and Engineering and/or Lands, Leasing and Taxation Departments with a summary of the recommendations.

(b) If the KSAS determines that heritage assessment or any additional heritage study or archaeological work is required in relation to the proposed Activity, the DAB, Planning and Engineering and/or Lands, Leasing and Taxation Departments shall require the Applicant to contact the KSAS prior to obtaining Authorization or proceeding with any Ground Disturbance.

8.3. HERITAGE PROJECT INFORMATION FORM

(a) In order to obtain an authorization for Category #1 lands (i.e., designated heritage area) the proponent shall submit their HPIF application to KSAS who will consult with the Working Group for review and recommendations.

(b) For Category *#2* lands (i.e., no known protection needed), an application is required however the KSAS may recommend a Chance Find Procedure in accordance with Section 6 (4) of the bylaw.

(c) In the event that a proponent proposes to develop category # 3 lands (i.e. uncertain level of protection), the KSAS will review the HPIF and make recommendations as to the level of heritage assessment required.

(d) As there can be no development of areas within category #4 lands (i.e., fully protected), no application from a proponent will be considered and no permit shall be issued for these lands. TteS may seek authorization to access category #4 lands for cultural practices.

8.4. HERITAGE INVESTIGATIONS

(a) The KSAS may recommend heritage assessment or further study if deemed necessary or advisable by the Working Group where the proposed Activity involves Ground Disturbance or where the desktop review suggests potential impacts to cultural heritage the KSAS may require the completion of a cultural heritage or archaeological assessment by an authorized archaeologist or knowledge keeper and;

(b) The KSAS in reviewing or conducting any further investigation or study may request and review any additional information relevant to the proposed Activity in the Application.

(c) As part of the study, the KSAS may consult with the Cultural Heritage Working Group.

(d) Where an Applicant obtains a Study not conducted by KSAS:

(i) The Applicant shall ensure that the Study is completed by an authorized archaeologist or TteS knowledge keeper;

(ii) The Applicant shall ensure that the study was conducted in accordance with the TteS Research Protocol Agreement;

(iii) The Applicant shall ensure that the study is submitted to KSAS for review upon completion; and

(iv) The KSAS accepts the results and recommendations of the Study or returns the Study to the authorized archaeologist or Knowledge Keeper for modification if not in compliance with this bylaw.

(e) If any amendment, alteration or modification to the original Application which includes new or expanded Ground Disturbance then those amendments will be subject to all requirements of Section 8.

(f) Upon completion of any recommended monitoring or additional Study, the results will be filed in the Heritage Register.

(g) All Studies, research information and reports unless specified in writing, shall be the property of Tk̓emlúps te Secwépemc.

8.5. TTES RESEARCH PROTOCOL AGREEMENTS

(a) A person or organization who wishes to conduct or obtain a study or research information from TteS, which is not being completed in the context of an Application under Section 8, shall submit a written TteS Research Protocol Agreement to KSAS, and provide sufficient information for TteS Kúkpi7 and Tk̓wenk̓wenem7íple7 to fully consider the proposed Study or research, as well as any information and documents reasonably requested by the KSAS.

(b) A person shall not proceed with a Study or research under Section 8 (4) unless the person or organization has received a fully authorized TteS Research Protocol Agreement, which may include specific terms and conditions in relation to the Study or research.

8.6. COSTS RELATING TO APPLICATIONS FOR TTES MEMBERSHIP

(a) All the costs in relation to each Application submitted by a TteS member associated with a private primary residential development, including but not limited to costs incurred to complete, supervise and review a Study, time spent to review and comment on a Study not completed by KSAS, and the costs of monitoring an Activity, shall be at no cost to the TteS member.

(b) Upon complete of heritage work by KSAS in relation to the Application the amount will be accrued internally as an in-kind community service.

8.7. COSTS RELATING TO TTES INTERDEPARTMENTAL APPLICATIONS

(a) All the costs in relation to each Application submitted by a TteS Department, including but not limited to costs incurred to complete, supervise and review a Study, time spent to review and comment on a Study not completed by KSAS, and the costs of monitoring an Activity, shall be paid by the Applicant Department.

(b) Upon completion of the work by the KSAS in relation to an Application or Development, the Applicant Department will be invoiced for fees owing in accordance with the interdepartmental transfer process and TteS Internal Rate Schedule as approved by the TteS Kúkpi7 and Tk̓wenk̓wenem7íple7 and the Chief Financial Officer.

8.8. **COSTS RELATING TO TTES MEMBER OWNED BUSINESSES, LEASEHOLDERS AND EXTERNAL DEVELOPER APPLICATION**

(a) All the costs in relation to each Application submitted by a TteS member owned business, leaseholder or non-TteS developer, including but not limited to costs incurred to complete, supervise and review a Study, time spent to review and comment on a Study not completed by KSAS, and the costs of monitoring an Activity, shall be paid by the Applicant.

(b) Upon completion of the work by the KSAS in relation to an Application or Development, the Applicant will be invoiced for fees owing in accordance with the KSAS Industry Rate Schedule as approved by the TteS Kúkpi7 and Tkwenkwenem7íple7 and the Chief Financial Officer.

9. BREACH OF BYLAW

9.1. If the TteS reasonably believes that there has been or may be a breach of this Bylaw as a result of an alteration to any portion of the reserve, the TteS Bylaws or Natural Resources Department Territorial Patrol may issue, to a person or class of persons, a stop work order that prohibits any alteration of the area for a period of up to 120 days, subject to any requirements TteS considers appropriate.

9.2. TteS will evaluate breaches of the Bylaw on a case-by-case basis and implement corrective actions based on the degree and severity of the breach. Corrective actions will be determined by the Working Group, drawing on the expertise and experience of the TteS Leadership, TteS Members, Elders, and Knowledge Keepers.

9.3. An egregious or repeated breach of this Bylaw is liable to enforcement and penalty measures including, but not limited to:

(a) cultural awareness education training;

(b) fines of not less than $2,000.00 up to not more than $50,000 for individuals.

(c) fines of not less than $50,000 up to not more than $1,000,000 for businesses, development proponents, or employees, officers, directors or agents of the development proponent; and/or

(d) Permanent exclusion of development proponents from developing on TteS reserve lands.

9.4. All offenders must, at the offenders' own expense, immediately prevent harm, or further harm, caused by breach or lack of compliance under this bylaw and take prompt action to remediate harm caused, directly or indirectly as directed by TteS.

10. APPLICATION OF BYLAW

10.1. If there is a conflict between the provisions of this Bylaw and any other bylaw of TteS, this Bylaw shall apply to any matter affecting the protection and conservation of TteS's heritage.

10.2. This Bylaw applies to all land developments and resource management projects within the TteS reserves, including those proposed for rivers and waterways, that may impact TteS's heritage.

10.3. TteS may enter into an agreement with another Indigenous group and/or with the provincial or federal government with respect to conservation and protection of heritage.

11. GENERAL PROVISIONS

11.1. Where a provision of this Bylaw is expressed in the present tense, the provision applies to the circumstances as they arise.

11.2. TteS may enact, amend, suspend or repeal this bylaw by consensus of the Kukpí7 and Tkwenkwenem7íple7.

11.3. No person shall interfere with heritage investigations undertaken in accordance with the provisions authorized under this Bylaw.

11.4. Nothing in this Bylaw obligates TteS to consent to any Activity on TteS reserve lands.

11.5. Further bylaws and policies may be enacted by TteS to implement this bylaw. Such bylaws and policies must be consistent with this bylaw.

11.6. Any amendment or repeal of this bylaw pursuant to S.82(2) may only be carried out after the TteS Kukpí7 and Tkwenkwenem7íple7 has engaged the TteS members and taken into account any direction provided.

11.7. This bylaw is enacted pursuant to the Tkemlúps te Secwépemc inherent jurisdiction, self-governance and bylaw-making authority.

11.8. Notice of the bylaw shall be posted in the First Nations Gazette and the website of Tkemlúps te Secwépemc and a copy of the bylaw shall be available for viewing free of charge at the administrative offices of TteS and available for distribution at a nominal charge.

12. BYLAW READING & ADOPTION DATES

1st Reading the 7th day of July, 2025

2nd Reading the 28th day of July, 2025

3rd Reading the 28th day of July, 2025

Final presentation for signature the 11th day of August, 2025

This **Tk̓emlúps Heritage Bylaw** is hereby passed at a duly convened meeting of the Kúkpi7 and Tkwenḵwenem7íple7 of the Tk̓emlúps te Secwépemc the 11th day of August, 2025.

Being the majority of those members of the Tkwenḵwenem7íple7 of the Tk̓emlúps te Secwépemc present. There are eight (8) Tkwenḵwenem7íple7 members, and a quorum of Tkwenḵwenem7íple7 is four (4) members.

Number of members of the Tkwenḵwenem7íple7 present at the meeting: 6.

This ***"Tk̓emlúps Cultural Heritage Conservation Bylaw, 2025-02"*** comes into force on the day on which it is first published.

Voting in favour of this bylaw are the following members of the Tkwenḵwenem7íple7:

Kúkpi7 Rosanne Casimir

Tkwenem7íple7 Thomas Blank

Tkwenem7íple7 Nikki Fraser

Tkwenem7íple7 Boyd Gottfriedson

Tkwenem7íple7 Daylin Malloy

Tkwenem7íple7 Dave Manuel

Tkwenem7íple7 Vicki Manuel

Tkwenem7íple7 Myron Thomas

13. SCHEDULES

13.1 The Schedules attached to this Bylaw may be reviewed and updated from time to time, as needed, by Kúkpi7 and Tkwenkwenem7íple7 through resolution. Any amendments to the Schedules shall take effect upon approval by Kúkpi7 and Tkwenkwenem7íple7 and shall be appended to this Bylaw accordingly.

Schedule A: Tkemlúps te Secwépemc Research Protocol Agreement
Schedule B: Tkemlúps te Secwépemc Cultural Heritage Working Group Terms of Reference
Schedule C: Tkemlúps te Secwépemc Archaeological Chance Find Procedure
Schedule D: Tkemlúps te Secwépemc Ancestral Remains Policy
Schedule E: Tkemlúps te Secwépemc Community Knowledge Keeper Data Access Management Policy
Schedule F: Knúcwmens le Sxwixwéytemc Archaeology Services Ltd. Heritage Project Information Form