

CSL H-3

HOPEDALE UTILITIES CORRIDOR REGULATION, 2008

CSL H-3 (31-12-2015)

Original Enactment NGSL 2008-04

**REGULATION RESPECTING A UTILITY CORRIDOR OVER CERTAIN
LABRADOR INUIT LANDS IN THE INUIT COMMUNITY OF HOPEDALE**

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Schedule A Plan showing Hopedale Utilities corridor

The Minister of Lands and Resources of the Nunatsiavut Government is pleased to enact the following regulations with the consent of the Nunatsiavut Executive Council:

Short Title

1

This regulation may be referred to as the *Hopedale Utilities Corridor Regulation, 2008*.

Authority

2

This regulation is made by the Minister of Lands and Resources in terms of sections 2.2, 2.5 and 12.3(n) of the *Labrador Inuit Lands Act, 2005-14*, as amended.

Definitions

3

In this Regulation:

“Hopedale utilities corridor” means the Labrador Inuit Lands shown in the plan annexed to this regulation as Schedule A; and

“institution” means a public space, whether open or closed, used for civic purposes.

Hopedale utilities corridor

4

The Hopedale utilities corridor is hereby established.

Application of regulation

5

The use and administration of the Hopedale utilities corridor shall be carried out in accordance with this Regulation.

Permitted uses of the Hopedale utilities corridor

6

The Hopedale utilities corridor may be used for the construction, operation and maintenance of transport infrastructure, cables, wires, tubes, tunnels, pipes, poles, buildings and facilities of all kinds for purposes of delivering utilities to residences and institutions in the Inuit Community of Hopedale.

Transport Infrastructure must accommodate pedestrians

7

Transport infrastructure in the Hopedale utilities corridor must accommodate and provide rights of way for pedestrians and non-motorized modes of transport.

Use of Hopedale utilities corridor for purposes of commerce

8

For purposes of section 6 of this regulation up to one third of the enclosed space in a residence served by or through the Hopedale utilities corridor may be used for purposes of commerce if the proprietor of the business lives in the residence, and up to one third of the space under the control of an institution that is served by or through the Hopedale utilities corridor may be used for purposes of commerce.

Application of laws in the Hopedale utilities corridor

9

The construction, operation and maintenance of all projects and activities in the Hopedale utilities corridor shall be carried out in compliance with Inuit Law and applicable federal and provincial laws including laws respecting the protection of the environment, labour, the health and safety of workers and the construction, operation and maintenance of utilities.

Procurement

10

The tendering of any work or supply in or with respect to the Hopedale utilities corridor shall be done in accordance with the Nunatsiavut Procurement Order.

Archaeological objects and sites

11

Any person who finds an Archaeological Object or an Archaeological Site in the Hopedale utilities corridor must immediately stop work and must not resume work without the prior written approval of the Nunatsiavut Government

Deputy Minister may delegate administration of Hopedale utilities corridor

12

The Deputy Minister may, with the agreement of the Hopedale Inuit Community Government and the written approval of the Nunatsiavut Executive Council, delegate administration of the Hopedale utilities corridor to the Hopedale Inuit Community Government.

Terms of Delegation by Deputy Minister

13

A delegation under section 12 of this Regulation shall be in writing, shall be made subject to sections 6 through 11 of this regulation and shall require that the Hopedale Inuit Community Government must:

- (a) obtain the consent of the Nunatsiavut Executive Council before it levies, charges or demands payment of a fee, charge, royalty or rent for access to, or use of, the Hopedale utilities corridor,
- (b) supply the Deputy Minister of Lands with a plan of survey of the Hopedale utilities corridor and blueprints for all transport infrastructure, cables, wires, tubes, tunnels, pipes, poles, buildings and facilities in the Hopedale utilities corridor, and
- (c) require that the Hopedale Inuit Community Government indemnifies the Nunatsiavut Government and saves the Government harmless from all

claims, damages, costs and lawsuits arising in or with respect to the Hopedale utilities corridor.

SCHEDULE A

Plan of Hopedale Utilities Corridor