



AA20

JURISDICTION

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Effective Date: 01 February 1997
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POLICY

Jurisdiction - Territorial

1. The territorial jurisdiction of the Delta Police Department (“Department”) includes all portions of the area encompassed by the boundaries of the City of Delta (“City”) and any other geographic boundaries within its jurisdiction.
2. Where an offence is committed in or upon any water or upon a bridge between two or more territorial divisions, the offence will be deemed to have been committed in any of the territorial divisions.
3. Where an offence is committed upon the boundary of two or more territorial divisions, the offence will be deemed to have been committed in any of the territorial divisions.

Jurisdiction - Concurrent

4. The terms and conditions of concurrent jurisdictions if any, with other police departments is set out in written agreements.

Jurisdiction - Enforcement

5. A member has jurisdiction throughout the Province while carrying out the powers, duties, privileges and responsibilities that a member is entitled or required to exercise or carry out at law or under any Act or authority of Section 38(1) of the *B.C. Police Act*.
6. Where a member performs duties outside the municipality, the member is governed by Section 38(4) of the *B.C. Police Act*.



REASON FOR POLICY

7. To clearly delineate the geographical jurisdiction of the Department and the jurisdiction of the members.

RELATED POLICY

OE102 – International Operations

PROCEDURES

8. The territorial jurisdiction for members of the Department extends to all areas of the City, as defined by Letters of Patent and published in the British Columbia Gazette.
9. Within the City, a member has the jurisdiction to exercise and carry out the powers, duties, privileges and responsibilities that a Police Constable or Peace Officer is entitled or required to exercise or carry out at law or under any Act.
10. A member, while on duty, has jurisdiction throughout the province.
11. The authorities for Sections 9 and 10 of this Policy are contained in Section 38(1) of the *B.C. Police Act*.
12. Members have jurisdiction on any First Nation lands within the City. Members should consult with Crown Counsel regarding the laying of charges, as there might be conflict between the *Indian Act* and other statutes.
13. The *Criminal Code* sets out guidelines for the jurisdiction of offences that occur on waterways, bridges or vessels operating between two territorial divisions. Generally, it is deemed the offence occurred in either of the territorial divisions. Members and supervisors should familiarize themselves with the relevant Sections of the *Criminal Code*.



B.C. Ferries

14. On incidents occurring aboard a B.C. ferry, while enroute to or from the Tsawwassen terminal, the Department having jurisdiction over the destination point will be responsible for the initial response to a request for service. Upon assessing the severity of the incident, the matter may be referred to the Department having jurisdiction over the water where the incident occurred.

Tsawwassen First Nation

15. The Department will provide policing services to the Tsawwassen First Nation ("TFN") consistent with the terms of the existing agreement between TFN, the Government of Canada, Government of British Columbia, the City and the Delta Police Board.
16. The Department will have continued responsibility for policing TFN lands occupied by Parkcanada RV Park & Tenting (RV park) and any other commercial enterprises specified in the existing policing agreement referenced in Section 15. The Department will provide police services to all calls for service at these locations.

Roberts Bank SuperPort

17. The Department will provide all police services to the Roberts Bank SuperPort as per the 1997 servicing agreement between the Vancouver Port Authority and the City.

Highway 17A, 91 and 99

18. The designated RCMP traffic resources will have the primary responsibility, as per their agreement with the Province of B.C., for traffic enforcement and collision response and investigation of Highway 17A, Highway 99 and Highway 91, including on and off ramps, within the boundaries of the City.
19. The Department will provide secondary response to provide assistance and support relating to traffic incidents as requested by the RCMP.
20. All other matters and incidents occurring on or near Highway 17A, Highway 99 and Highway 91 within the boundaries of the City shall be the primary responsibility of the Department.



International Borders

21. See **Policy OE102 – International Operations.**