

No. 1
March 22, 1953

BY-LAW FOR THE PRESERVATION AND PROTECTION OF FISHERIES OF THE TYENDINAGA INDIAN RESERVE IN THE PROVINCE OF ONTARIO MADE BY THE COUNCIL OF THE TYENDINAGA BAND PURSUANT TO PARAGRAPHS (c) AND (r) OF SECTION 80 OF THE INDIAN ACT.

1. This by-law shall apply within the limits of the Tyendinaga Indian Reserve in the Province of Ontario from March 22nd, 1953.
2. No person other than a member of the Tyendinaga Band shall take or attempt to take fish at any time.

DOMESTIC FISHING

3. Members of the Tyendinaga Band shall be allowed to take fish by angling at any time for their own use except during the months of March and April of each year, but not for sale or barter, except to another Member of the Band, living on the Tyendinaga Indian Reserve.
4. No member of the Tyendinaga Band shall take or have in his possession fish taken by any means other than angling without a written permit from the Band Council approved by the Indian Superintendent. Any Indian found in possession of fish taken by any other means than angling who is not in possession of the prescribed permit will be violating this by-law.
 - (a) Any permit issued by the Band Council pursuant to this by-law shall remain suspended during the period the bearer is awaiting trial and will become invalid if the bearer is convicted of any offence under this by-law.
5. A permit issued by the Band Council pursuant to Section 4 of this by-law shall be valid only in the location described in the permit and shall authorize the bearer to take only the number and species of fish named therein at the time and in the manner prescribed in the permit.
 - (a) Provided however that with regard to Pickerel not more than three (3) fish per day may be taken under authority of any one permit, and further that not more than one permit may be issued to members of any one family.
6. No member of the Band on the Reserve may have in his possession at any time more than two days authorized catch.
 - (a) Possession of Pickerel in any one dwelling in excess of the amount allowed by this by-law shall be evidence of illegal possession of Pickerel.
7. No member of the Band may own, operate or have in his possession any seine or bull net and no permit may be issued for such seine or bull net.
8. No fish taken by authority of a permit issued pursuant to section 4 of this by-law may be sold or bartered except to another member of the Band living on the Reserve.

COMMERCIAL FISHING

9. No member of the Band may take fish on a commercial licence in reserve waters without a written permit from the Band Council approved by the Indian Superintendent.
10. No member of the Band may obtain a permit pursuant to Section 9 of this by-law until he has first obtained a commercial licence issued under authority of the Special Fisheries Regulations for the Province of Ontario.
11. Any permit issued pursuant to Section 9 of this by-law shall be subject to the conditions of the commercial licence and shall be valid only in the location described in such permit.

ENFORCEMENT

12. The Council of the Band, Indian Constable and such other persons as may be named by the Band Council shall be ex-officio officers for the enforcement of the provisions of this by-law.