

Chronological no. - N° consécutif 16 94/95
File reference no. - N° de référence du dossier 4216-233

**BAND COUNCIL RESOLUTION
RÉSOLUTION DE CONSEIL DE BANDE**

NOTE: The words "from our Band Funds" "capital" or "revenue", whichever is the case, must appear in all resolutions requesting expenditures from Band Funds.
NOTA: Les mots "des fonds de notre bande" "capital" ou "revenu" selon le cas doivent paraître dans toutes les résolutions portant sur des dépenses à même les fonds des bandes.

The council of the Le conseil de Wahgoshig First Nation				Cash free balance - Solde disponible
Date of duly convened meeting Date de l'assemblée dument convoquée				Capital account Compte capital \$ _____
DJ	M	Y-A	Province	Revenue account Compte revenu \$ _____
3 1	0 1	9 5	Ontario	

DO HEREBY RESOLVE:
DÉCIDE, PAR LES PRÉSENTES:

WHEREAS the council of the Wahgoshig First Nation considers special measures necessary for the protection of the residents of the Band's reserve from the presence of intoxicants; and

WHEREAS the council of the Wahgoshig Band at its special meeting held on January 31, 1995 which was called by the meeting held on December 19, 1994 for the purpose of considering the attached By-Law assented to the said By-Law; and

WHEREAS section 85.1 of the Indian Act, R.S.C. 1970, c(i) 6 as amended, empower the council of the Band to make By-Laws dealing with intoxicants on the reserve of the Band;

THEREFOR be it RESOLVED that the council enacts the attached as By-Law 1995-01 of this Band.

**INDIAN AFFAIRS
SUDBURY DISTRICT
FEB 07 1995**

*Chief and
2 Councillors to
sign, originals
will have the
signatures req'd.*

Quorum 3 (three)

(Councillor - Conseiller)

(Councillor - Conseiller)

(Councillor - Conseiller)

(Councillor - Conseiller)

(Councillor - Conseiller)

(Councillor - Conseiller)

(Councillor - Conseiller)

FOR DEPARTMENTAL USE ONLY - RÉSERVÉ AU MINISTÈRE					
Expenditure - Dépenses	Authority (Indian Act Section 80/81) (Article de la Loi sur les Indiens)	Source of funds (Source des fonds) <input type="checkbox"/> Capital <input type="checkbox"/> Revenue/Revenu	Expenditure - Dépenses	Authority (Indian Act Section 80/81) (Article de la Loi sur les Indiens)	Source of funds (Source des fonds) <input type="checkbox"/> Capital <input type="checkbox"/> Revenue/Revenu
Recommending officer - Recommandé par _____ Signature _____ Date _____			Recommending officer - Recommandé par _____ Signature _____ Date _____		
Approving officer - Approuvé par _____ Signature _____ Date _____			Approving officer - Approuvé par _____ Signature _____ Date _____		

**Wahgoshig First Nation (Abitibi# 70)
BY-LAW 1995-01**

A By-Law respecting intoxicants and intoxication

SHORT TITLE

1. This By-Law may be cited as the Wahgoshig First Nation Indian Band Intoxicant By-Law.

INTERPRETATION

2. In this By-Law;
"Band " Means The Wahgoshig First Nation(Abitibi# 70) Indian Band.
"Intoxicant" Includes alcohol, alcoholic, spirituous, vinous, fermented malt or other intoxicating liquid or combination of liquors and mixed liquor a part of which is spirituous, vinous, fermented or otherwise intoxicating and all drinks or drinkable liquids and all preparations or mixtures capable of human consumption that are intoxicating;

"reserve" Means any tract or tracts of land, the legal title to which is vested in HER MAJESTY, that has been set apart by HER MAJESTY for the use and benefit of the Wahgoshig First Nation(Abitibi# 70) Band.

PROHIBITIONS

3. No person shall sell, barter, supply or manufacture intoxicants on the reserve. Any person who contravenes this section is, pursuant to the provisions of the Indian Act, guilty of an offence and is liable on summary conviction to a fine of not more than \$1,000.00 or to imprisonment for a term not exceeding six(6) months or to both.
4. No person shall be intoxicated on the reserve.
5. No person shall have intoxicants in his/her possession on the reserve.
6. Any person who contravenes Section 3 or Section 4 is, pursuant to the provisions of the Indian Act, guilty of an offence and liable on summary conviction to a fine of not more than \$1,000.00 or to imprisonment for a term not exceeding three(3) months or to both.

EXCEPTIONS

7. This By-Law does not apply to the use or possession of intoxicants:
 - a) Ordinarily and actually use for cleaning, fuel or other domestic or commercial purposes not involving human consumption or,
 - b) for medical purposes under the direction of a qualified doctor or nurse.
8. In any prosecution of a convention of this By-Law, the burden of proof that intoxicants were possessed or used for medical purposes is upon the accused.
9. Any person entering the reserve shall, at that time, if requested by a Band Constable or other person authorized by the Council of the Band, declare whether or not he/she has any intoxicants in his/her possession, whether on his/her person or among any luggage, bags, packages or other containers that he/she intends to bring on the reserve. The name of every person who refuses to make such a declaration shall be reported to the Council of the Band.