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LAW TO CONTROL HUNTING AND FISHING

THE COUNCIL OF THE GARDEN RIVER BAND OF INDIANS AT ITS MEETING OF
3 - 11 - 75 HEREBY MAKES THE FOLLOWING BY-LAW PERSUANT TO
PARAGRAPHS C,D,O,P,Q, & R OF SECTION 81 OF THE INDIAN ACT.

SECTION 1

In this by-law "BAND" means the Garden River Band of Indians.

"COUNCIL" means the Council of the Garden River Band of Indians.

"BAND MEMBER" means a member of the Garden River Band of Indians

"RESERVE" means the tract of land commonly known as the Garden
River Indian Reserve.

"RESERVE WATERS" means those waters within the boundary of
the Garden River Indian Reserve.

"ANIMALS" means any animals or fish.

"INDIAN" means as defined in the Indian Act.

SECTION 2

Except under this by-law, no person who is not a Band Member shall
hunt or fish on the Reserve or in the Reserve Waters.

SECTION 3

A person who is an Indian shall have the right to hunt on the
Reserve and fish in the Reserve Waters if that person is accompanied
at all times by a Band Member. No Indians shall be required to
obtain a permit to hunt or fish on the Reserve or in the Reserve
Waters.

SECTION 4

The provisions of the Game and Fish Act of the province of Ontario
shall have no application to the Reserve or the Reserve Waters
and shall apply to persons on the Reserve only as specifically
stated in this by-law.

BY-LAW TO CONTROL HUNTING AND FISHING (2)

SECTION 5

A person who is not a Band Member , shall not hunt on the Reserve without first obtaining a permit issued by the Council.

SECTION 6

The Council may issue permits to persons who are not Band Members, allowing those persons to hunt on Reserve.

The permits issued may, in the discretion of the Council, specify the duration of the permit, the number of each or any type of animal that may be taken under the permit, the types of animals that may be hunted, the methods of hunting that may be allowed, and the areas of the Reserve that may be used for hunting.

SECTION 7

A person who is not a Band Member, shall not fish on the Reserve or in the Reserve Waters without first obtaining a permit issued by Council.

SECTION 8

The Council may issue permits tp persons who are not Band Members, allowing those persons to fish on Reserve and in Reserve Waters.

The permits issued may, in the discretion of the Council, specify the duration of the permit, the number of each or any type or fish that may be taken under the permit, the types of fish that may be fished, the methods of fishing that may be allowed , and the areas of the Reserve that may be used for fishing.

BY-LAW TO CONTROL HUNTING AND FISHING (3)

SECTION 9

The Council may in its discretion refuse a permit to any persons for any reasons.

SECTION 10

The Council may set fees for permits it issues under this by-law, such fees shall be set by Resolution of the Council in writing and shall be posted at the place where permits are issued.

SECTION 11

Permits issued under this by-law shall be issued at the Band Office and at such other places as the Council determines.

SECTION 12

The Council may appoint a person or persons to administer this by-law and to issue permits under this by-law in the name of the Council.

SECTION 13

A person who violates the provisions of Paragraphs 5 or 7 of this by-law is a trespasser and may be prosecuted as such pursuant to Section 30 of the Indian Act in addition to any prosecution under this by-law.

SECTION 14

A person who is not a Band Member and who is not an Indian who hunts and fishes on the Reserve or in the Reserve Waters is guilty of an offence is liable on summary conviction to a fine not exceeding \$ 100.00. Vehicles, fishing, and hunting equipment shall be confiscated by our by-law officer.

BY-LAW TO CONTROL HUNTING AND FISHING (4)

SECTION 15

On a second conviction under Paragraph 14 of this bylaw that person shall be liable of not less than \$50.00 and not more than \$100.00.

SECTION 16

On a third and any subsequent conviction under Paragraph 14 of this by-law that person shall be liable to imprisonment for a term of not less than 14 days and not more than one month.

SECTION 17

- (a) A person who contravenes the condition set out in a permit issued to him is guilty of an offence and is liable on summary conviction, to a fine of \$50.00 for each moose that is taken without authorization to hunt moose in the permit.
- (b) A person who contravenes the condition set out in a permit issued to him is guilty of an offence and is liable on summary conviction, to a fine of \$50.00 for each other animal that is taken without authorization to take that animal in the permit.
- (d) A person who contravenes the condition set out in a permit issued to him is guilty of an offence and is liable on summary conviction to a fine of \$50.00 for each animal that is taken in excess of the limit set for that type of animal in the permit.
- (e) A person who contravenes the condition set out in a permit issued to him is guilty of an offence and is liable on summary conviction, to a fine of \$100.00 for hunting in an area not permitted in the permit.
- (f) A person who contravenes the conditions set out in a permit issued to him is guilty of an offence and is liable on summary conviction, to a fine not exceeding \$100.00 for any other contravention of the permit.

BY-LAW TO CONTROL HUNTING AND FISHING (5)

SECTION 18

The Council may specify that a person who is issued a permit must at all times when on the Reserve or in Reserve Waters be accompanied by a Band Member and no Band Member may accompany more than 2 (two) such persons.

Chief	<u>Ron Boissoneau</u>
Councillor	<u>Thomas R. Nolan</u>
Councillor	<u>Daniel L. Pine</u>
Councillor	<u>Earl Boissoneau</u>
Councillor	<u>James Belleau</u>
Councillor	<u>Arnold Jones</u>
Councillor	<u></u>