

Chronological No. - N° consécutif 763 - 1987/88
File Reference - N° de référence du dossier 4215-4-143

**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 la bande indienne	ATTAWAPISKAT BAND	Current Capital Balance Solde de capital	\$ _____
Agency District	JAMES BAY	Committed Engagé	\$ _____
Province	ONTARIO	Current Revenue Balance Solde de revenu	\$ _____
Place Nom de l'endroit	ATTAWAPISKAT #91A	Committed Engagé	\$ _____
Date	<u>22</u> <u>October</u> AD 19 <u>87</u> Day - Jour Month - Mois Year - Année		

DO HEREBY RESOLVE:
DÉCIDE, PAR LES PRÉSENTES:

WHEREAS the Council of the Attawapiskat Band considers special measures necessary for the protection of the residents of the Band's reserve from the presence of intoxicants;

WHEREAS the Council of the Attawapiskat Band at its special meeting held on December 20, 1985, which was called by the meeting held on December 1st., 1985 for the purpose of considering the attached By-law assented to the said By-law;

WHEREAS Section 85.1 of the Indian Act, R.S.C. 1970, c(i)6 as amended, empowers the Council of the Band to make by-laws dealing with intoxicants on the reserve of the Band;

THEREFORE be it RESOLVED that the Council enacts the attached as By-law 1985/1 of this Band.



A quorum for this Band Pour cette bande le quorum est
consists of fixé à <u>6</u>
Council Members. Membres du Conseil.

Mike Caputo
(Councillor - Conseiller)

John Harkness
(Councillor - Conseiller)

(Councillor - Conseiller)

(Councillor - Conseiller)

John Matheson
(Chief - Chef)

John Harkness
(Councillor - Conseiller)

Martha Sutherland
(Councillor - Conseiller)

(Councillor - Conseiller)

(Councillor - Conseiller)

Abraham Paul Mont
(Councillor - Conseiller)

(Councillor - Conseiller)

(Councillor - Conseiller)

(Councillor - Conseiller)

FOR DEPARTMENTAL USE ONLY - RÉSERVÉ AU MINISTÈRE				
1. Band Fund Code Code du compte de bande	2. Computer Balances - Soldes d'ordinateur		3. Expenditure - Dépenses	4. Authority (Indian Act Section) Autorité (Article de la Loi sur les Indiens)
	A. Capital	B. Revenue - Revenu	\$ _____	5. Source of Funds Source des fonds <input type="checkbox"/> Capital <input type="checkbox"/> Revenue Revenu
	\$ _____	\$ _____		
6. Recommended - Recommandable			Approved - Approuvable	
<u>3/1/87</u> Date			<u>[Signature]</u> Date	
<u>[Signature]</u> Recommending Officer - Recommandé par			<u>[Signature]</u> Approving Officer - Approuvé par	

Chief and Council

Attawapiskat, Ontario
P0L 4A0

Attawapiskat Band of Indians

BY-LAW 1985/1

A By-law respecting intoxicants and intoxication

1. In this by-law:

"intoxicant" includes alcohol, alcoholic, spiritous, vinous, fermented malt or other intoxicating liquor or combination of liquors and mixed liquor a part of which is spiritous, 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 lands, 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 Attawapiskat Band.

2. 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 months or to both.
3. No person shall be intoxicated on the reserve.
4. No person shall have intoxicants in his possession on the reserve.
5. 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 \$100.00 or to imprisonment for a term not exceeding three months or to both.
6. This by-law does not apply to the use or possession of intoxicants:
 - a) ordinarily and actually used 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.
7. In any prosecution of a contravention of this by-law, the burden of proof that intoxicants were possessed or used for medical purposes is upon the accused.
8. 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 or she has any intoxicant in his or her possession, whether on her or his person or among any luggage, bags, packages or other containers that he or she intends to bring on to the reserve. The name of every person who refuses to make such a declaration shall be reported to the council of the Band.