

**EXHIBIT "C"**  
**BY-LAW NO 1993**  
**of the HAY RIVER DENE BAND**  
**A BY-LAW TO PROHIBIT INTOXICANTS**

**AND WHEREAS** the Hay River Dene Band considers it desirous to undertake measures for the protection of the community;

**AND WHEREAS** the Council of the Band is desirous of declaring in effect a prohibition against the sale, barter, supply or manufacture of intoxicants on the reserve of the band; against any person being intoxicated on reserve; and against any person having intoxicants in his possession on the reserve; and wish to provide for an exception thereto;

**AND WHEREAS** Subsection 85.1 (1) of the Indian Act, authorizes the council of a band to make bylaws:

- (a) prohibiting the sale, barter, supply or manufacture of intoxicants on the reserve;
- (b) prohibiting any person from being intoxicated on the reserve;
- (c) prohibiting any person from having intoxicants in his possession on the reserve; and
- (d) providing for exceptions to any of the prohibitions established pursuant to paragraph (b) or (c);

**AND WHEREAS** subsection 85.1 (4) of the Indian Act provides that every person who contravenes a bylaw made under this section is guilty of an offense and is liable on summary conviction, in the case of a bylaw made under paragraph 85.1 (1) (a), to a fine of not more than one thousand dollars or to imprisonment for a term not exceeding six months or to both; and in the case of a bylaw made under paragraph 85.1 (1) (b) or paragraph 85.1 (c), to a fine not more than one hundred dollars or to imprisonment for a term not exceeding three months, or to both; and

**AND WHEREAS** a majority of the electors of the Band who attended a special meeting of the Hay River Dene Band on June 21, 1993 called by the council of the Hay River Dene Band on May 6, 1993 for the purpose of considering the contents of this bylaw, assented to the contents of this bylaw;

**NOW THEREFORE**, it is hereby enacted pursuant to section 85.1 of the Indian Act:

#### **Short Title**

1. This bylaw be cited as the Hay River Dene Band Intoxicant By-Law.

#### **Interpretation**

2. In this By-Law:

"Band" means the Hay River Dene Band;

"Reserve" means all those lands defined as a "reserve" within the meaning of the Indian Act, R.S.C. 1985, c-1-5, and set apart for the use and benefit of the Hay River Dene Band of Indians and known as the Hay River Dene Band Indian Reserve number 1.

#### **Prohibitions**

3. No person shall be intoxicated on the Reserve.
4. No person shall be in possession of an intoxicant of the Reserve.
5. No person shall sell, barter or supply an intoxicant to anyone or manufacture intoxicant on the Reserve.

**Exceptions**

- 6. No person contravenes section 4 by reason only that he is in possession of an intoxicant for the purpose of transporting it across the Reserve from a point of origin outside of the Reserve to a destination outside of the Reserve, provided that the intoxicant is in a bottle, receptacle or package that is unopened and the seal unbroken.
  
- 7. No person contravenes sections 3,4 or 5 of this By-Law where the intoxicant is possessed, used or intended to be used solely
  - (1) for medical purposes; or
  - (11) for domestic, business, commercial or other purpose that does not involve producing a state of intoxication in any person;
  
- 8. No person contravenes sections 4 or 5 of this By-Law where the intoxicant is possessed, used or intend to be used solely for a religious purpose that does not involve producing a state of intoxication in any person.

**THIS BY-LAW IS HEREBY** made at a duly convened meeting of the Council of the Hay River Dene Band this 7 day of July 1993.

Voting in favour of the By-Law are the following members of the Council:

  
 (Member of the Council)

  
 (Member of the Council)

  
 (Member of the Council)

  
 (Member of the Council)

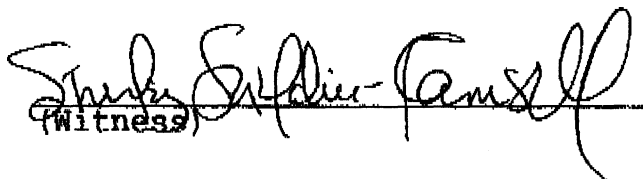
being the majority of those members of the Council of the Hay River Dene Band present at the aforesaid meeting of the Council.


The quorum of the Council is 4 members.

Number of members of the Council present at the meeting:

4

I, Pat Martel Chief/Councillor of the Indian Band, do hereby certify that a true copy of the foregoing bylaw was mailed to the Minister of Indian Affairs and Northern Development at the District/Regional/Hull office (as the case may be) pursuant to subsection 82 (1) of the Indian Act, this 7 day of July, 1993.

  
(Witness)

  
(Chief/Councillor)