

NEW INTOXICANT BY-LAW
LITTLE GRAND RAPIDS INTOXICANT BY-LAW

WHEREAS the Little Grand Rapids Band Including Paulingassl considers It desirous to undertake measures for the protection of the community;

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 the reserve; and against any person having intoxicants in his possession on the reserve; and wish to provide for an exception thereto;

WHEREAS the Council of the Band did enact a By-Law on the 25 day of October, 1989, and wishes to repeal the said By-Law and replace it with this by-law.

WHEREAS Subsection 85.1(1) of the Indian Act, authorizes the council of the band to make by-laws:

- (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).

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

WHEREAS Subsection 103(1) of the Indian Act provides that whenever a peace officer, a superintendent or a person authorized by the Minister believes on reasonable grounds that an offence against section 33, 85.1, 90 or 93 has been committed, he may seize all goods and chattels by means of or in relation to which he believes on reasonable grounds the offence was committed.

WHEREAS a majority of the electors of the Band who attended a special meeting of the Little Grand Rapids Band on February 28, 1991 called by the Council of the Little Grand Rapids Band on February 18, 1991 for the purpose of considering the contents of this by-law, assented to the contents of this by-law;

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

Passed 910288
mailed 910305
BCH 910307
EJ 910288

SHORT TITLE

1. This by-law may be cited as the Intoxicant By-Law.

INTERPRETATION

2. In this By-Law:

"band" means the Little Grand Rapids Indian Band including Pauingassi.

"reserve" means the Little Grand Rapids Indian Reserve including Pauingassi number 270.

PROHIBITIONS

3. No person shall be intoxicated on the reserve.
4. (1) No person shall have an intoxicant in his possession on the reserve.
- (2) No person contravenes subsection (1) by reason only that he has an intoxicant in his possession 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 if the intoxicant is in a bottle, receptacle or package that is unopened and the seal unbroken.
5. No person shall sell, barter or supply an intoxicant to any person or manufacture an intoxicant on the Reserve.

REPEAL

6. By-Law duly enacted on the 25 day of October, 1989, and being a By-Law prohibiting the possession, sale and consumption of intoxicants on the Reserve, be and the same is hereby repealed.

Approved and passed at a duly convened meeting of the Council of the Little Grand Rapids Band dated this 28 day of February, 1991.

Chief *[Signature]*

Council *Edward Bushie*

Council *Roy Ounafund*

Council *Charles Leungue*

Council *Arnold Bushie*

Council *Jerry Bushie*

Council *George H. Keiper*

Council _____