

SOK/85-727
dated Aug. 6, 1985.

BYLAW

WHEREAS the Cross Lake Band Council considers it necessary to provide, by bylaw pursuant to section 85.1 of the Indian Act, for regulating the presence and use of intoxicants on the Reserves of the Cross Lake Band;

NOW THEREFORE IT IS ENACTED THAT:

Definitions

1. In this bylaw,

- (a) "Band" means the Cross Lake Indian Band;
- (b) "Reserve" means the Reserve or all of the Reserves set aside from time to time for the use and benefit of the Band, but does not include any special Reserve;
- (c) "Band member" means a member of the Band;
- (d) "Intoxicant" means any intoxicating substance which is capable of human consumption and contains either more than 1% by weight or more than 1% by volume of any alcohol or alcohols.

Prohibitions

- 2. Every person who sells, barter or manufactures any intoxicants on the Reserve is guilty of an offence punishable on summary conviction.
- 3. Every person who possesses, or supplies to another person, any intoxicant on the Reserve is guilty of an offence punishable on summary conviction.

Exceptions

- 4. Notwithstanding anything in this bylaw, no person commits an offence under this bylaw by the possession, or by the supply to another person, of an intoxicant,
 - (a) by the possession, or by the supply to another person, of an intoxicant which was manufactured for medicinal purposes, is in a container labelled so as to indicate that it is for medicinal purposes, and is possessed or supplied for medicinal purposes only, or
 - (b) by the possession of an alcoholic beverage which they can establish was for their own consumption upon the direction or recommendation of a physician.

5. For greater certainty, no person commits an offence under this bylaw who sells, barter, manufactures, possesses or supplies to another person an intoxicant which

(a) is an intoxicant within the meaning of the Indian Act but is not an intoxicant within the meaning of the Indian Act.

(b) is an intoxicant within the definition of section 1(d) but is not an intoxicant within the meaning of the Indian Act.

6. This bylaw shall come into effect on July 19, 1985.

THE MAKING OF THIS BYLAW was assented to by a majority of the electors of the Band who voted at a special meeting of the Band called by the council of the Band on July 16, 1985 for the purpose of considering the bylaw.

SUBSEQUENTLY ENACTED by the council of the Band on July 17, 1985.

(SIGNED) W. MONIAS

(SIGNED) E. ROBINSON

(SIGNED) S. GARRIOCH

(SIGNED) M. GARRICK

(SIGNED) JONAH MCKAY

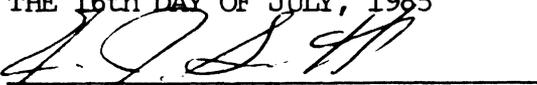
(SIGNED) E.J. SCOTT

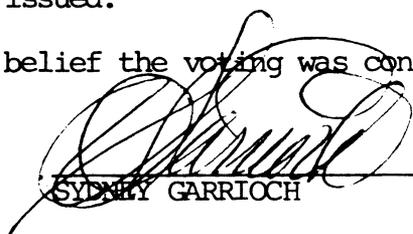
CROSS LAKE BAND

I, Sydney Garrioch, Councillor of the Cross Lake Band, do solemnly swear:

1. That I was present at a special meeting of the Band, called by the Council of the Band for purpose of considering a bylaw to regulate intoxicants on the reserve, and held at the Band hall on July 15, 1985. and adjourned to July 16, 1985.
2. That the proposed bylaw was explained to and discussed by the meeting.
3. That a secret ballot was held on July 16, 1985 to vote on whether the electors were in favour of or against the proposed bylaw.
4. That Tommy McIvor and Nora Mcleod were appointed by the meeting to observe the voting and count the ballots.
5. That I personally supervised the issuing of one ballot to each elector of the Band desiring to vote and kept and marked a list of the electors to whom a ballot was issued.
6. That to the best of my knowledge and belief the voting was conducted fairly and properly.

SWORN BEFORE ME AT CROSS LAKE ON
THE 16th DAY OF JULY, 1985


A COMMISSIONER OF OATHS IN AND FOR
THE PROVINCE OF MANITOBA.
MY COMMISSION EXPIRES THE 21st
DAY OF April, 1987


SYDNEY GARRIOCH