

**BY-LAW NO 1994-01**  
**of the Berens River First Nation**  
**A By-law to Regulate Solvent & Gasoline Abuse**

**WHEREAS** the Council of the Berens River First Nation deems it expedient to enact this by-law for the purposes of safeguarding its community on the reserve from the serious problems resulting from the unhealthy practice of inhaling solvents and/or gasoline vapours for the sole purpose of producing euphoria, hallucinations or intoxication;

**AND WHEREAS** paragraph 81(1)(a), (c), (d), (q), and (r) of the *Indian Act* R.S.C. 1985, c.I-5 empower the Council of a First Nation to make by-laws to provide for the health of residents, the observance of the law and order, the prevention of disorderly conduct and nuisances, with respect to any matter arising out of or ancillary to the exercise of powers under section 81, and the imposition on summary conviction of a fine or imprisonment or both for violation thereof;

**NOW THEREFORE** the Council of the Berens River First Nation enacts as a by-law thereof the following:

**INTERPRETATION**

1. In this by-law:  
"intoxicating matter" means plastic solvents, adhesive cement, cleaning agents, glue, dope, nail polish remover, lighter fluid, gasoline, paint, or laquer thinner;  
"intoxicating vapour" means any vapour, fume, or liquid that is emitted, given off or produced from an intoxicating matter.

**PROHIBITIONS**

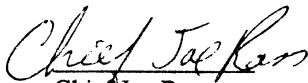
2. (1) No person shall for the purpose of inducing euphoria, hallucinations, or intoxication:
  - a) inhale, administer, or otherwise introduce into his respiratory system, or
  - b) assist or cause another to inhale, administer or otherwise introduce into his respiratory system,an intoxicating vapour.
- (2) No person shall for the purpose of inducing euphoria, hallucinations, or intoxication:
  - a) manufacture for himself or another, or
  - b) give, sell or otherwise distributeany intoxicating matter which emits, gives off or produces or can be made to emit, give off or produce an intoxicating vapour.
- (3) This section does not apply to:
  - a) the manufacture or sale of an intoxicating matter for medical purposes,
  - b) the inhalation, administration or other introduction of an intoxicating vapour into the respiratory system under the supervision of a physician, or
  - c) a physician or dentist or a person acting under his direction who assists or causes another to inhale, administer, or otherwise introduce into his respiratory system an intoxicating vapour.

PENALTY

3. Any person who contravenes any of the provisions of this by-law is guilty of an offence and liable on summary conviction to a fine of not more than one thousand dollars (\$1,000.00) or to an imprisonment for a term of not more than thirty (30) days, or to both.

Approved and passed at a duly convened meeting of the Council of the Berens River First Nation this 28th day of September, 1994.

Voting in favour of this by-law are the following members of the Council:

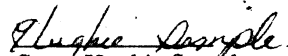
  
Chief Joe Ross

  
Coun. Steve Berens

  
Coun. Andrew Bittern

  
Coun. Wifred Green

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Coun. Percy Patrick

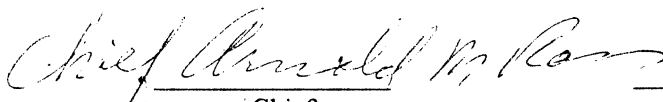
  
Coun. Hughie Semple

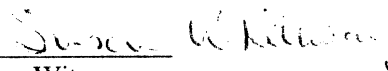
being the majority of those members of the Council of the Berens River First Nation present at the aforesaid meeting of Council.

The quorum of the Berens River First Nation Council is four (4) members.

The number of members of the Berens River First Nation Council present at the meeting: \_\_\_\_

I, Joe Ross, Chief of the Berens River First Nation, do hereby certify that a true copy of the foregoing by-law was mailed/faxed/hand-delivered to the Minister of Indian Affairs at the Regional Office pursuant to section 82(1) of the Indian Act this 30<sup>th</sup> day of October, 1994.

  
Chief

  
Witness