



Indian and Northern
Affairs Canada

Affaires indiennes
et du Nord Canada

Indian and Inuit Affairs Affaires indiennes et inuit

Chronological No. - Numéro consécutif

File Reference - N° de réf. du dossier

BAND COUNCIL RESOLUTION
RÉSOLUTION DE CONSEIL DE BANDE

.500
1985/86

NOTE: The words "From our Band Funds" "Capital" or "Revenue", which ever 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	Mohawk Council of Akwesasne	Current Capital Balance Solde de capital	\$ _____
AGENCY	Peterborough	Committed - Engagé	\$ _____
DISTRICT		Current Revenue balance Solde de revenu	\$ _____
PROVINCE	Ontario / Quebec	Committed - Engagé	\$ _____
PLACE NOM DE L'ENDROIT	Community Bldg.		
DATE	28 Sept. AD 19 85 DAY - JOUR MONTH - MOIS YEAR - ANNEE		

DO HEREBY RESOLVE:
DÉCIDE, PAR LES PRÉSENTES:

Moved: Bobby Skidders
Seconded: Billy Sunday

To accept the By-Law Respecting the Sale of tax exempt cigarettes and other tobacco products within the Mohawk territory of AKWESASNE as attached.

Carried

MINISTER'S OFFICE
I.H.C.C.
CABINET DU MINISTRE

OCT 3 1985
RECEIVED
FILE NO 190-4-2

A quorum for this Bande
Pour cette bande le quorum est
consists of
fixé à
Council Members
Membres du Conseil

Robert M. Miller
(Councillor - conseiller)
Wallace Mitchell
(Councillor - conseiller)

M. Lu
(Chief - Chef)
Upmanu Singh
(Councillor - conseiller)
Randy Bamber
(Councillor - conseiller)

A 33799
Louis Colas
(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 - Autorité Indian Act Sec Art. de la Loi sur les Indiens	5. Source of Funds Source des fonds <input type="checkbox"/> Capital <input type="checkbox"/> Revenue Revenu
	A. Capital \$	B. Revenue - Revenu \$			
6. Recommended - Recommandable			Approved - Approuvable		
Date	Recommending Officer - Recommandé par		Date	Approving Officer - Approuvé par	

BY-LAW RESPECTING THE SALE OF TAX EXEMPT CIGARETTES
AND OTHER TOBACCO PRODUCTS
WITHIN THE MOHAWK TERRITORY OF AKWESASNE

WHEREAS the Mohawk Council of Akwesasne is the duly elected government representing and empowered by the Mohawk people of Akwesasne;

WHEREAS the Mohawk people of Akwesasne wish to perpetuate and promote the Mohawk culture, way of life and values inherent to their people;

WHEREAS the Mohawk Council wish to control the sale of tax exempt cigarettes and other tobacco products;

NOW, THEREFORE the Mohawk Council of Akwesasne adopts the following By-Law at a meeting duly convened and held at the offices of the Mohawk Council of Akwesasne on September 28, 1985.

In virtue of its authority as the elected representative of the Mohawk people of Akwesasne and in virtue of its powers under section 81 of the Indian Act, R.S. c149 as amended to date, the Mohawk Council of Akwesasne hereby enacts the following:

- a) Mohawks who have businesses acceptedly serving their immediate community of Akwesasne, may apply for a cigarette tax exemption permit issued by the Mohawk Council of Akwesasne.
- b) The cigarette tax exemption permit will identify the following:
 - (i) name of business;
 - (ii) type of business;
 - (iii) names and band numbers of owner/s;
 - (iv) name authority issuing permit;
 - (v) size of cigarette allocation.
- c) The Mohawk Council of Akwesasne will only accept applications accompanied by a sworn declaration by the applicant identifying the following:
 - (i) name of business;
 - (ii) type of business;
 - (iii) rightfull owner/s of business;
 - (iv) location of business;
 - (v) business hours;
 - (vi) days of week open.

signed by applicant and witnessed by a Justice of The Peace appointed to serve Akwesasne under section 107 of the Indian Act.

- d) A Peace Officer or person both appointed by the Mohawk Council of Akwesasne will within no later than 60 days after submission and prior to approval of application, enter and investigate the applicant's place of business verifying that such a business acceptedly serving the immediate surrounding community of Akwesasne does exist.
- e) Applicant must have a sign noticeably erected in front of business identifying the following:
 - (i) name of business;
 - (ii) type of goods sold;
 - (iii) business hours;
 - (iv) days of week open.
- f) The Mohawk Council of Akwesasne upon approval of application may issue a cigarette tax exemption permit with a cigarette allocation determined at the discretion of the Mohawk Council but not to exceed five (5) cases (10,000 cigarettes) of cigarettes for each calendar month.
- g) Nevertheless, Mohawks in possession of a cigarette tax exemption permit for at least 90 days may apply for an increase of cigarette allocation determined at the discretion of the Mohawk Council, but not to exceed ten (10) cases (20,000 cigarettes) of cigarettes for each calendar month.
- h) Mohawks in possession of a cigarette tax exemption permit will pay an administrative cost to the Mohawk Council of Akwesasne. Five cents for each and every carton (200 cigarettes) of cigarettes acquired by virtue of this permit or the present equivalent percentage of the total permit allocation based on the current wholesale price of cigarettes.
- i) The Mohawk Council of Akwesasne will adjust the administrative cost monthly or as the wholesale price of cigarettes increase.

j) The administrative cost will be paid by the permit holder within the first week of every calendar month based on permit allocation.

k) The Mohawk Council of Akwesasne may appoint a person or persons to administer this By-Law.

Anyone who violates this By-Law or any section therein is subject to immediate cancellation of the cigarette tax exemption permit and is liable upon summary conviction to a fine not to exceed One Thousand Dollars (\$1,000.00) or imprisonment for a term not to exceed thirty days or both fine and imprisonment.

Chief

Councillor

Councillor

Councillor

Councillor

Councillor

Councillor

Councillor

Councillor

Councillor

Councillor

Councillor