



CAT LAKE BAND  
CAT LAKE, ONTARIO  
POV 1J0

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BY-LAW ON INTOXICANT USE

BY-LAW NO 1

The Cat Lake Band of Indians

Being a By-Law respecting intoxication and the use of intoxicants on the reserve of the Cat Lake Band of Indians.

Whereas subsection 85.1 (1) of the Indian Act, R.S.C. 1970, Chapter 1-6 (as amended), empowers the council of the Cat Lake Band to make By-Laws respecting intoxication and the use of intoxicants in the reserve of the Cat Lake Band, And

Whereas, pursuant to subsection 85.1 (2) of the Indian Act, the form and substance of the By-Law set out below were assented to by a majority of the electors of the Cat Lake Band who voted at a special meeting of the Band on the 17th day of December, 1986, called by the council of the Cat Lake Band for the purpose of considering the said By-Law; and,

Whereas, the council of the Cat Lake Band considers necessary special measures for the protection of the citizens of the reserve of the Cat Lake Band from the presence of intoxicants;

Now therefore, pursuant to section 85.1 of the Indian Act, the Council of the Cat Lake Band elects as a By-Law thereof as follows:

1. In this By-Law

"Intoxicant" means "intoxicant" as it is defined under subsection 2 (1) of the Indian Act, and for greater certainty and without altering the meaning of "intoxicant" it shall be deemed to include the following preparations and mixtures capable of human consumption that are intoxicating.

(i) Glue and the vapours thereof

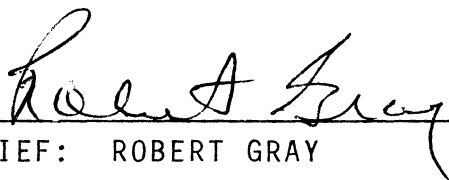
(ii) "Lysol" and other similar cleaning products and the vapours thereof.

(iii) Gasoline and gasoline-based products and the vapours thereof.

2. A person who sells, barter, supplies or manufactures an intoxicant on the reserve of the Cat Lake Band is guilty of an offence and is liable on summary conviction to the penalty described in paragraph 85.1 (4) (a) of the Indian Act, namely, a fine of not more than one thousand dollars or imprisonment for a term not exceeding six (6) months or both.
3. A person who is found
  - (a) with intoxicant in his possession or
  - (b) intoxicated,on the reserve of the Cat Lake Band, is guilty of an offence and is liable on summary conviction to the penalty described in paragraph 85.1 (4) (b) of the Indian Act, namely, a fine of not more than one hundred dollars or imprisonment for a term not exceeding three (3) months or both.
4. The provisions of this By-Law do not apply where the intoxicant is used or intended to be used,
  - (a) in cases of sickness or accident,
  - (b) for domestic or commercial purposes that do not involve human consumption or,
  - (c) in the form of sacramental wine by a recognized church.
5. A Band constable or any other authorized peace officer may arrest without warrant any person whom he finds contravening sections 2 or 3 of this By-Law.
6.
  - (1) No offence is committed against subparagraph 3(a) of this By-Law if the person in possession is transport reserve to a destination beyond the reserve boundary.
  - (2) In the case of a person described in subsection (1) who must sojourn on the reserve overnight or for a few days in order to avoid bad weather, in order to gather supplies or any other valid purpose, he shall forthwith deliver the intoxicant in his possession to a special constable, Band constable, any other authorized peace officer, or any other person designated for this special purpose by Band Council Resolution.

- (3) Where a special constable, a band constable, or an authorized peace officer or a person designated by Band Council Resolution takes delivery of an intoxicant in the circumstances described in subsection (2), he shall forthwith deposit the intoxicant in a place of safekeeping, such as a lockup or a Band Administration building.
  - (4) A special constable, a band constable, an authorized peace officer or a person designated by Band Council Resolution who is in charge of the intoxicant deposited in accordance with subsection (3) shall return the intoxicant to the original possessor described in subsections (1) and (2) within twenty-four hours of his departure from the reserve, it being the responsibility of the original possessor of the intoxicant to provide due notice of his imminent departure.
  - (5) In case of a person described in subsection (2) who fails to deliver forthwith the intoxicant in his possession to a special constable, band constable, any other authorized peace officer or any other designated by Band Council Resolution, the person in possession of the intoxicant may be found guilty of an offence under subparagraph 3 (a) of this By-Law.
7. (1) Every person coming into the reserve of the Cat Lake Band shall, at that time, if requested by a band constable or any other authorized peace officer, declare whether or not he has in his possession any intoxicant, whether on his person or among the luggage, bags, packages, or other containers that he is bringing into the reserve.
- (2) Following a declaration or a failure to declare under subsection (1) a band constable or any other authorized peace officer contravening sections 2 or 3 of this By-Law may
- a) detain that person for a period of time sufficient to conduct a search for any intoxicant and
  - b) detain the luggage, bags, packages, or other containers that a person is bringing into the reserve for a period of time sufficient to apply for a search warrant under section 103 of the Indian Act and for a period of time sufficient to execute any warrant issued by a Justice, of the Peace under section 103.

- (3) If any intoxicant is found pursuant to a search conducted under subsection (2) a band constable or any other authorized peace officer may arrest without warrant any person in possession of the intoxicant, pursuant to section 5 of this By-Law.
- (4) The name of every person who fails to declare under subsection (1) shall be reported to the council of the Cat Lake Band by a band constable or any other authorized peace officer.

  
CHIEF: ROBERT GRAY

  
DEPUTY CHIEF: MORRIS WESLEY

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COUNCILLOR: VERNON WESLEY

  
COUNCILLOR: PETER SAKAKEESIC



Indian and Northern  
Affairs Canada

Affaires indiennes  
et du Nord Canada

Indian and Inuit Affairs

Affaires indiennes et inuit

DEPT. OF INDIAN AFFAIRS  
&  
NORTHERN DEVELOPMENT

AUG 20 1987

BAND COUNCIL RESOLUTION  
RÉSOLUTION DE CONSEIL DE BANDE

SIoux Lookout, Ontario

Chronological No. - Numéro consécutif

224/87

File Reference - N° de réf. du dossier

N 216-216

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	CAT LAKE BAND	Current Capital Balance Solde de capital	\$ _____
AGENCY		Committed - Engagé	\$ _____
DISTRICT	SIoux LOOKOUT	Current Revenue balance Solde de revenu	\$ _____
PROVINCE	ONTARIO	Committed - Engagé	\$ _____
PLACE NOM DE L'ENDROIT	CAT LAKE RESERVE		
DATE	13 08 AD 19 87 DAY - JOUR MONTH - MOIS YEAR - ANNÉE		

DO HEREBY RESOLVE:  
DÉCIDE, PAR LES PRÉSENTES: BY-LAW # 1

WHEREAS: the Chief and Council had distributed a draft By-Law to every household for the people to consider and,

WHEREAS: the draft By-Law was also posted in public places in the community and,

WHEREAS: a special band meeting was called for the casting of ballots and the date set was December 17, 1986 and,

WHEREAS: the results of the casting of ballots was as following:

- 57 votes supporting the By-Law
- 23 votes not supporting the By-Law
- 5 votes were spoiled

85 votes in total

WHEREAS: the results of the special meeting has indicated a support of adopting the By-Law to prohibit alcohol on the reserve.

So therefore be it resolved that the Chief & Council having met at a special meeting hereby adopt By-Law No.1 respecting intoxication and the use of intoxicants on the reserve of the Cat Lake Band.

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

ORIGINAL SIGNED

BY

*Robert Gray*  
(Chief - Chef)

CERTIFIED TRUE COPY

*[Signature]*

*[Signature]*  
(Councillor - conseiller)

(Councillor - conseiller)

*[Signature]*  
(Councillor - conseiller)

(Councillor - conseiller)

*[Signature]*  
(Councillor - conseiller)

(Councillor - conseiller)

*[Signature]*  
(Councillor - conseiller)

(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"/> Revenu
	A. Capital \$	B. Revenue - Revenu \$			
6. Recommended - Recommandable			Approved - Approuvable		
Date	Recommending Officer - Recommandé par		Date	Approving Officer - Approuvé par	