

BYLAW

80 R/85-1005
dated Oct 17/85

Whereas the Split Lake Band Council considers it necessary to provide, bylaw pursuant to Section 85.1 of the Indian Act, for regulating the presence and use of intoxicants on the Reserves of the Split Lake Band:

NOW THEREFORE IT IS ENACTED THAT:

Definitions

1. In this bylaw,
 - (a) "Band" means the Split Lake 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, and includes any special reserve;
 - (c) "Band Member" means a member of the Split Lake Indian 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;
 - (e) "Residence" means any building which is situated on the Reserve and is actually in use as the residence of any person.

Prohibitions

2. (a) Every person who is found intoxicated or found with any intoxicants in their possession or who keeps or causes intoxicants to be kept in their dwelling-house, building, tent, or place, or supplies an intoxicant to any person on the reserve is guilty of an offence and is liable in a summary conviction to a fine of not more than one hundred dollars or to imprisonment for a term not exceeding three months or both a fine and imprisonment.
- (b) Every person who by himself or any other person on his behalf;
 - (1) sells, barter to any person on the Reserve,
 - (2) makes or manufactures intoxicants on a Reserve, is guilty of an offence and is liable in a summary conviction to a fine of not more than one thousand dollars or to imprisonment for a term not exceeding six months or to both fine and imprisonment.

Exceptions

3. 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) which was manufactured for medicinal purposes, is in a container labelled so as to indicate that it is for medicinal purposes only;

Effective Date

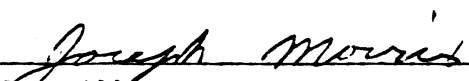
4. This bylaw shall come into effect on the 23rd day of September 1985.

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 September 3, 1985 for the purpose of considering the bylaw.

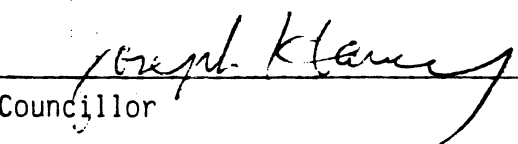
SUBSEQUENTLY ENACTED by the Council of the Band on September 13, 1985.



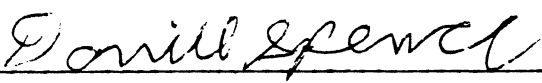
Chief: Norman Flett


Councillor


Councillor


Councillor


Councillor


Councillor


Councillor

I, Larry Beardy, Councillor of the Split Lake Indian Band do solemnly swear:

1. That I was present at a Special meeting of the Band, called by the Council of the Band for the purpose of considering a by-law to regulate intoxicants on the Reserve, and held at the Band Hall on May 27th, 1985.
2. That the proposed by-law was explained and discussed at the meeting.
3. That voting for and against the proposed by-law was conducted by asking those in favour of the by-law to rise and all those present at the Special Meeting did rise.
4. That Victor Spence and John E. Keeper were appointed by the meeting to observe and count those voting for the by-law.
5. That to the best of my knowledge and belief the voting was conducting fairly and properly.

SWORN BEFORE ME AT SPLIT LAKE ON
THE 23 DAY OF September 1985

Larry Beardy
LARRY BEARDY

Lynnda Gitchewick
A COMMISSIONER OF OATHS IN AND FOR
THE PROVINCE OF MANITOBA.
MY COMMISSION EXPIRES THE 26th
DAY OF April, 1987.

Further to the above, I Rod R. Spence, Councillor of the Split Lake Indian Band do solemnly swear:

1. That I was present at a subsequent September 3rd, 1985 meeting of the Band membership for the purpose of ratifying and assenting the by-law for enactment.

Roderick Spence
RODERICK SPENCE