

**WUSKWI SIPIHK FIRST NATION  
AMENDED HEALTH AUTHORITY BY-LAW**

**PASSED AND ENACTED BY THE CHIEF AND COUNCIL OF THE  
WUSKWI SIPIHK CREE NATION, THIS 5<sup>th</sup> DAY OF  
SEPT, A.D. 1995**

WUSKWKI SIPIHK FIRST NATION

AMENDED HEALTH BY-LAW

TABLE OF CONTENTS

Preamble.....1

Council Authorized to Obtain Agreements  
for Local and Regional Health and Related Services.....2

Establishment of Wuskwi Sipiik First Nation Heath Board.....2

Board of Directors.....3

Health Care Administrator to Attend All Board Meetings.....4

Cree Nation Tribal Health Centre Inc.....4

Confidentiality of Client/Patient Records.....4

The Board May Negotiate Agreements.....5

Responsibilities of the Board.....5

Duties of Health care Administrator.....6

Staffing and Personnel.....7

Programs and Services.....7

Regulation of Wastes and Sanitation.....8

Regulation of Dogs.....8

Incorporation by Reference.....10

Amendments and Enactments.....10

Enforcement.....10

Interpretation.....10

Severability.....10

For the Protection of Directors and Officers.....11

Indemnities to Directors and Officers.....11

Insurance.....11

Signatures.....12

# WUSKWI SIPIHK FIRST NATION

## AMENDED HEALTH AUTHORITY BY-LAW

### Preamble

**WHEREAS** Wuskwi Sipiik First Nation is a recognized and accredited First Nation situated on the Wuskwi Sipiik First Nation Reserve and governed by a Chief and Council in accordance with the provisions of the *Indian Act*;

**AND WHEREAS** the people of the Wuskwi Sipiik First Nation have a right to health services at an adequate and proper level as to meet their health requirements;

**AND WHEREAS** the Wuskwi Sipiik First Nation entered into solemn Treaty arrangements with Her Majesty's Government of the Dominion of Canada by adhesion to Treaty #4;

**AND WHEREAS** the Wuskwi Sipiik First Nation did not through said Treaty give up their authority to be a self governing people;

**AND WHEREAS** Section 81(1)(a), (d), (f), (g), (h), (p.1), (q) and (r) of The Indian Act, R.S.C. 1970, Ch. 1-6 as amended empowers the Chief and Council of the Wuskwi Sipiik First Nation to make By-Laws inter alia:

- (a) To provide for the health of residents on the reserve and to prevent the spreading of contagious and infectious diseases;
- (d) The prevention of disorderly conduct and nuisances;
- (f) The construction and maintenance of water courses, roads, bridges, ditches, fences and other works;
- (g) The dividing of the reserve or a portion thereof into zones and prohibition of the construction of building or the carrying on of any class of business, trade or calling in any such zone;
- (h) The regulation of the construction, repair and use of buildings, whether owned by Wuskwi Sipiik First Nation or by its individual members;
- (j) The destruction and control of noxious weeds
- (l) The construction and regulation of the use of public wells, cisterns, reservoirs and other water supplies;
- (q) With respect to any matter arising out of or ancillary to the exercise of powers under this section;
- (r) The imposition on summary conviction of fines not exceeding one thousand (\$1,000.00) dollars or imprisonment for a term not exceeding thirty (30) days, or both for violations of By-Laws made pursuant to this section.

**AND WHEREAS** Section 36 of the Constitution Act, 1982 provides that without altering legislative authority of Parliament or of the Provincial Legislatures, or the rights of any of them with respect to the exercise of their legislative authority, Canada and Manitoba are committed to:

- (a) Promoting equal opportunities for the well being of Canadians;
- (b) Furthering economic development to reduce disparity in opportunities;  
and
- (c) Providing essential public services of reasonable quality to all  
Canadians.

**AND WHEREAS** Wuskwi Sipiik First Nation defines health in the same terms as endorsed by the World Health Organization as a state of complete physical, mental and social well being and not merely the absence of disease or infirmity;

**AND WHEREAS** the health conditions of Wuskwi Sipiik First Nation Reserve cannot be significantly improved without Indian involvement in and control of local health care services;

**AND WHEREAS** Wuskwi Sipiik First Nation members desire their Chief and Council to create, maintain and operate a local health authority on their reserve;

**AND WHEREAS** pursuant to Section 73 of the Indian Act, the Government of Canada has enacted certain regulations respecting health and waste disposal;

**AND WHEREAS** the Chief and Council has by Band Council Resolution requested the Minister to exempt Wuskwi Sipiik First Nation from said regulations and enable this by-law to supersede said regulations;

**AND WHEREAS** Wuskwi Sipiik First Nation was not a party to the Memorandum of Agreement entered into in 1964 between the Medical Services Branch and Manitoba Health and is therefore not bound by that Agreement;

**AND WHEREAS** nothing in this By-Law shall alter, diminish, abrogate, derogate or breach the Treaty and/or Aboriginal rights of the Wuskwi Sipiik First Nation or its members;

**AND WHEREAS** nothing in this By-Law shall alter, diminish, abrogate, derogate or breach the Treaty status of the Wuskwi Sipiik First Nation or its members under Treaty #4 with Her Majesty's Government of Canada, nor shall it be interpreted or construed to do so;

**BE IT ENACTED AND THEREFORE IT IS HEREBY ENACTED** as a By-Law of the Chief and Council of Wuskwi Sipiik First Nation as follows:

**Council Authorized to Obtain Agreements for  
Local and Regional Health and Related Services**

1. The Chief and Council, hereafter known as the Council, is hereby authorized to enter into such agreements and declarations as in its sole discretion it deems appropriate to create, maintain and operate a Wuskwi Sipiik First Nation Health Board to serve the community health needs of Wuskwi Sipiik First Nation.

**Establishment of Wuskwi Sipiik First Nation Health Board**

2. The Council hereby enacts and it is hereby enacted and established that there shall be a Wuskwi Sipiik First Nation Health Board, hereinafter referred to as the "Board".

3. The community health service needs of residents on-reserve shall be administered, delivered and maintained by the Board. The Board shall be guided initially by Wuskwi Sipiik First Nation Health Policy Manual (hereby incorporated by reference to this By-Law and attached hereto as Appendix "A"). The Board shall in the future make recommendations to the Council for the revision of the policies set out in the said manual as changing conditions require.

4. Wuskwi Sipiik First Nation Health Board shall be elected in accordance with the elections policy of Wuskwi Sipiik First Nation, except where otherwise directed:

- (a) A Director's term of office, subject to future First Nation by-laws shall be for a four year term or, in the case of filling a vacancy, for the unexpired portion of the four year term.
- (b) Any Director, except those who are deemed to have vacated their office as a result of the operation of subsection 4(c), may stand for re-election to Wuskwi Sipiik First Nation Health Board.
- (c) The office of Director shall be vacated automatically:
  - i) if by notice in writing to the Board, he or she resigns his office;
  - ii) if he or she dies;
  - iii) if he or she misses three consecutive Board meetings without a reasonable excuse;
  - iv) if he or she is found to be of unsound mind;
  - v) in the case of a member of Council sitting as a Board member, when that person ceases to be a member of Council;
  - v) if he or she is dismissed for "just cause" by the Council.
- (d) The Council has authority to dismiss Board members for "just cause." The determination of what constitutes just cause shall be made by the Council. Change in the composition of the Council shall not be "just cause" within the meaning of this section. Such matters as serious misconduct, breach of confidentiality, failure to responsibly perform the duties of a Board Member, missing meetings too frequently, or conviction for a serious criminal offence may fall within the definition of just cause
- (e) The Directors shall establish operating procedures of the Board and dealing, inter alia, with such matters as meetings, duties of Directors, the establishment of Board Committees to monitor, evaluate and assess the various programs that are delivered by the Board.
- (f) The Directors shall meet not less than ten times per year. The Directors are empowered to include in their operating procedures a provision for meetings by telephone conference where circumstances warrant.

#### **Board of Directors**

5. (a) The Board shall consist of at least eight members, all of whom must be members of Wuskwi Sipiik First Nation, and six of whom shall be voting Directors, including four from the membership of Wuskwi Sipiik First Nation and two from the Council of the Wuskwi Sipiik First Nation.

- (b) To provide representation on the Board from the whole of the Wuskwi Sipiik First Nation community, the Board shall have non-voting Directors elected by their peers to represent:
  - (i) Wuskwi Sipiik First Nation elders; and
  - (ii) The youth (ages 18 to 30) of Wuskwi Sipiik First Nation.
- (c) The Council shall appoint two of their members, including a Councillor with responsibility for the Health Portfolio, to sit as voting Directors of Wuskwi Sipiik First Nation Health Board.
- (d) The Board is hereby authorized to select a chairman from amongst their midst and to appoint such other officers as they may see fit. The chairman shall not have a vote except in the event of a tie vote, in which case the chairman shall cast the deciding vote.
- (e) With the exception of the Director representing the elders of Wuskwi Sipiik First Nation, no person employed by the Board shall be eligible for the position of Director of the Wuskwi Sipiik First Nation Health Board at any given time;
- (f) A quorum of the Board shall be four voting members.

#### **Health Care Administrator to Attend All Board Meetings**

6. The Health Care Administrator shall have, as part of his or her job description, an obligation to attend all meetings of the Wuskwi Sipiik First Nation Health Board.

#### **Cree Nation Tribal Health Centre Inc.**

7. The Council may, at their unfettered discretion, appoint one person, including a member of the Council, from the Board to sit on the Board of the Cree Nation Tribal Health Centre Inc., which provides specialty health services.

#### **Confidentiality of Client/Patient Records**

8.(1) Subject to this by-law, client/patient records made under this by-law and the Wuskwi Sipiik Health Policy are confidential and no person shall disclose or communicate these records in any form to any person except:

- (a) To the Wuskwi Sipiik Health Care Administrator, or to a person employed, retained or consulted by said Health Care Administrator in the course of administering or enforcing any provision of this by-law or the Wuskwi Sipiik Health Care Policy;
- (b) To the client/patient in question provided that the release of the information to the client/patient has been approved in writing by the Wuskwi Sipiik Health Care Administrator.

8.(2) A client/patient of the Wuskwi Sipiik First Nation Health Authority is entitled to be given access to:

- (i) his or her own records; and
- (ii) the records of a child who is in the adult's legal care subject to the exceptions contained in paragraph 8.(3) herein.

8.(3) The Wuskwi Sipiik Health Care Administrator may refuse to give a person access to all or any part of a record referred to in 8.(2) where:

- (a) There are reasonable grounds to believe that disclosure of all or part of the record might result in physical or serious psychological harm to that person;
- (b) That part of the record discloses the identity of a person who is not employed by the Wuskwi Sipiik First Nation Health Authority and who has supplied information in confidence to the Wuskwi Sipiik First Nation Health Authority for any purpose relating to the administration or enforcement of this by-law or the Wuskwi Sipiik First Nation Health Policy;
- (c) And the Wuskwi Sipiik First Nation Health Care Administrator shall notify the person in writing of the reasons for refusing access to all or any part of his or her record or the record of a child in his or her care.

8.(4) It shall be stipulated in every contract of employment that the Board enters into that employees are undertaking to protect and honour the special relationship and confidentiality that exists between the Wuskwi Sipiik Health Board and its Clients/Patients. It shall be further stipulated that breach of such confidentiality shall be grounds for dismissal.

8.(5) It shall be the duty of every Director of the Board to comply with the confidentiality provisions of this by-law. Should a Board member breach said confidentiality provisions it shall be grounds for the dismissal of that Board member from his position by the Council.

#### **The Board May Negotiate Agreements**

9.(1) The Council hereby authorizes the Board to negotiate agreements with other Swampy Cree Tribal Bands, the Federal Government, the Provincial Government, public health services, agencies, other private health services agencies, or other such agencies pursuant to the Wuskwi Sipiik First Nation Health Policy Manual for the delivery of regional or community health services to residents including, inter alia, the provision of health services staff and personnel, including, inter alia, physicians, community health representatives, dentists, dental assistants, dental therapists, nurses, midwives, traditional Indian healers, medical officers of health, environmental health officers, and other necessary personnel.

9.(2) Without restricting the generality of the foregoing, the Council hereby authorizes the Board to negotiate agreements for the maintenance and construction of nursing stations or other health care delivery facilities.

9.(3) All such agreements shall be brought to the Council for approval and ratification, and shall be subject to review, approval and ratification by Council.

#### **Responsibilities of the Board**

10.(1) The Board shall be responsible to the Council for the overall administration, maintenance and delivery of health services in the community, and without restricting the generality of the foregoing, may:

- a) Develop operating procedures for the Board;
- b) Recommend to the Council, administrative, personnel, financial and other policies relating to the Health Board, Health Authority or community health;
- c) Prepare and recommend budgets to Council for approval;
- d) Subject to the approval and ratification of budgets by Council, borrow and spend money, and acquire, dispose of and manage all forms of personal property, as the Council, or their designated representative directs, in accordance with the administrative procedures of the Council;
- e) Manage such real property as the Council directs;
- f) Provide monthly financial statements to the Council;
- g) Provide an Annual Report to Council and consult regularly with Council on the health needs of the Community;
- h) Make recommendations to the Council to hire or dismiss persons for the position of Health Care Administrator;
- i) Advise Council on health and health related policy matters; and
- j) Ensure that policies and procedures are in place to maintain the traditional confidentiality of medical records.

11. The Board may upon approval of the Council enter into agreements for the retention of a qualified Health Care Administrator, who shall be responsible and accountable directly to the Board, and who shall be the senior health services staff officer. The Board may also recommend the dismissal of the Health Care Administrator to Council.

12. The Board, subject to the directions and policies of the Council, shall have the power to maintain, control and manage the affairs of the various health and other related activities of Wuskwi Sipiik First Nation and the power to disburse funds up to the amount of the budget approved by the Council in accordance with administrative procedures approved by Council and, where necessary, any parties to any agreements made pursuant to this by-law, and to disburse any other grants, fees, donations or other monies received by the Board in the course of operating their programs and activities pursuant to the Wuskwi Sipiik First Nation Health Policy Manual.

#### **Duties of Health Care Administrator**

13. The Board may determine from time to time the duties and responsibilities of the qualified Health Care Administrator and, without restricting the generality of the foregoing, the qualified Health Care Administrator shall be responsible for:

- (a) organizing and managing the day to day business of the Health Board;
- (b) establishing procedures to implement policies contained in the Wuskwi Sipiik First Nation Health Policy Manual;



- (c) personnel administration and supervision of health services staff, including the power to hire and fire subject to the approval of the Council, and subject always to such policy as to appeals or grievances as may recommended by the Board to the Council and approved by the Council;
- (d) financial administration in accordance with the budget and subject to and in co-operation with the Band Administrator, and shall at all times work closely with the Band Administrator to ensure effective management;
- (e) program supervision;
- (f) liaison with other agencies;
- (g) managing all arrangements contracted for with others; and
- (h) reporting to the Board and the Council on all the above mentioned matters, and such other matters as the Board or the Council determines, in such form and on such schedule as the Board or the Council may from time to time determine

#### **Staffing and Personnel**

14. The Council may determine, from time to time, on recommendation of the Board, the salary levels, duties, responsibilities and the number of staff and personnel of the Board, and without restricting the generality of the foregoing including, inter alia, dental assistants, dental therapists, nurses, midwives, traditional Indian healers, medical officers of health, environmental health officers, clerks and other necessary personnel.

15. The Council may, upon recommendation by the Board, recognize persons who act as traditional Indian healers and may provide for a method of any remuneration or any compensation to the traditional Indian healers for such services.

#### **Programs and Services**

16.(1) Wuskwi Sipiik First Nation is not a party to the Memorandum of Agreement between the Federal Government of Canada and the Province of Manitoba entered into in 1964. The Wuskwi Sipiik First Nation, Band Council and Board is not bound by the said 1964 Agreement.

16.(2) The Board shall at the direction of the Council administer, manage, maintain and deliver, in accordance with the Health Transfer Agreement between the Minister of Health and Welfare for Canada and Wuskwi Sipiik First Nation, the following health services and programs and it is hereby enacted that, at a minimum, specific provincial standards relating to such programs shall apply until such time as there may be an Agreement to the contrary between the Minister of Health and Welfare for Canada and Wuskwi Sipiik First Nation:

- (a) Those treatment services contained in Health and Welfare Canada's Health Program Transfer Handbook dated September 28, 1989, and any amendments thereto;
- (b) Communicable disease control;
- (c) Occupational and environmental health and safety; and
- (d) Emergency health planning;

**16.(3)** The Board shall administer and maintain such other local health services as are determined by the Council to be required to be administered, maintained, and delivered to members of Wuskwi Sipiik First Nation.

#### **Regulation of Wastes and Sanitation**

**17.** No person shall destroy, damage or cause or allow to be polluted by any foreign matter whatsoever any well, cistern, reservoir or any other means of water supply within the Reserve.

**18.** No person shall deposit or accumulate or permit to be deposited or accumulated upon premises in his possession anything which is or may become offensive or injurious to health.

**19.** All garbage, including any refuse or matter which may attract scavengers, cause a nuisance, or otherwise be deemed to be potentially injurious to public health, shall be kept in a plastic or metal container which is properly sealed.

**20.** In the spring and fall of each year, as soon as the weather permits, the person residing in any premises within the Reserve shall collect or cause to be collected all waste matter lying therein.

**21.** All such waste matter or garbage shall be disposed of in such manner and such place as will prevent any nuisance and as the Council may from time to time direct.

#### **Regulation of Dogs**

**22.** All dogs living on a Reserve shall be kept in the home, in a pen or corral designed for said dogs or shall be tied up in the yard, so that at all times they are secure from running at large.

**23.** No dogs shall be allowed to run at large on the Reserve. Any dog found running at large shall be apprehended by a Band Constable or such other Dog Control Officer as the Council may designate, and shall take said dog to such pound or other place of confinement as the Council shall designate, whereupon:

- (a) The apprehending Officer shall attempt to notify the owner of said dog.
- (b) The dog shall be destroyed five (5) days after apprehension, if it is not claimed, or may be destroyed immediately if, upon notification, the owner indicates the intention to abandon the dog.
- (c) Regardless of the disposition of said dog, any owner who allows their dog to run at large shall be liable to a fine or penalty under this section.

**24.** Notwithstanding the provisions of Section 23, the Council may authorize the designated Dog Control Officer, the Band Constable, or any other person, for a designated period of time not to exceed two weeks, to shoot or otherwise destroy on sight any dog, of a class designated by the Health Board, found to be running at large, following one week's notice by the Health Board to the community. Said notice is to set out the period in which dogs running at large are to be destroyed, the class of dogs to be destroyed, and said notice is to be posted in a public place and published in the nearest available local community newsletter or newspaper.

**25.** Dogs trained specifically for and acting as sled dogs, guard dogs, hunting dogs, guide dogs or retrievers of game shall be deemed not to be at large so long as they are acting in the course of their training or tasks or are being taken from or to such tasks.

**26.** Dogs which are in public or on public lands, but tied or attached to a leash held by a person or are otherwise accompanied by and under the control of a person, shall be deemed not to be at large.

**27.** Upon request of the Council, Health Board, Health Administrator or any other person, a Band Constable or such other Dog Control Officer as the Council may designate may apprehend any dog if:

- (a) The dog is reasonably suspected of, or showing signs of, carrying diseases which constitute a danger to humans or animals, or is detrimental to public health; or
- (b) The dog appears to be vicious and uncontrollable as shown by attacks of the dog on humans or animals which lead to injury.

**28.** The owner of a dog apprehended under subsections 27(a) and 27(b) may be charged with the keeping of a diseased or vicious dog and liable to the penalties set out in this by-law upon summary conviction at a hearing before a Judge or Magistrate.

**29.** Upon completion of a hearing under section 28, if a Judge or Magistrate finds the dog in question to be vicious or diseased, the Band Constable or such person designated by Council may destroy said dog.

**30.** No person shall keep any dogs in a manner which is deemed to be unsafe, unsanitary, injurious to the dog, or threatening to public health and safety.

**31.** Council may require:

- (a) All dog owners living on the Reserve to register the dogs with the Band Constable or such other person designated by the Council;
- (b) A fee to be collected for the registration of dogs;
- (c) The failure to register or pay fees be subject to penalties under these regulations as the Council directs;
- (d) All registered dogs to wear a registration tag which will be given to the owner at the time of registration; and
- (e) All registrations be renewed from time to time at the direction of the Council.

**32.** Provisions respecting the regulation of dogs may be applied to other classes of animals designated by Council in a valid Band Council Resolution, upon the written recommendation of the Board.

**33.** Registration fees, periods, and penalties shall be set by the Council and shall be posted by notice in public places to be determined by Council. The general public shall be notified by way of said notice and the notice shall be published in the nearest local community newspaper or newsletter.

### **Incorporation by Reference**

34. Insofar as they are not inconsistent with this by-law or any future by-law, specific provincial laws and regulations relating to health are hereby incorporated as part of this by-law and may be enforced as part of this by-law, until such time as the Council may otherwise agree with the Minister of Health and Welfare for Canada.

### **Amendments and Enactments**

35. The Board may, from time to time, recommend to the Council:

- (a) Amendments to this by-law;
- (b) The enactment of further by-laws to create or give effect to programs required for the health and well being of members of Wuskwi Sipiik First Nation;
- (c) Other measures that may be required to enable the Board to carry out its duties and responsibilities.

### **Enforcement**

36. The Board is hereby authorized to take any action necessary to ensure that this by-law or any policy established thereunder is complied with.

37. The Board may consult with the Council when enforcing this by-law or ensuring compliance with this by-law.

38. This by-law shall be enforced by Band Constables or any other peace officers serving Wuskwi Sipiik First Nation or by inspectors employed or designated by the Board.

39. Every individual, person or corporate body shall comply with this by-law and the laws and regulations referred to in paragraph 16.

40. A violation of this by-law that continues for more than one day constitutes a separate offence for each day during which it continues.

41. Any individual, person or corporate body who violates any of the provisions of this by-law shall be guilty of an offence, and shall be liable on a summary conviction to a fine not exceeding \$1,000.00 or imprisonment for a term not exceeding 30 days, or to both a fine and imprisonment, for each violation.

### **Interpretation**

42. In this by-law, the masculine includes the feminine, the feminine the masculine, and the singular includes the plural and the plural the singular, as the context requires.

### **Severability**

43. In the event that a court of competent jurisdiction or other body with jurisdiction determines that any provision herein is unlawful or beyond the jurisdiction of the Council and/or the Government of Canada, said provision shall be severable from this By-Law and the remainder of the terms of this by-law or any other by-laws mentioned in the preamble and any policies and procedures thereunder or future by-laws, shall remain in full force and effect.

**Protection of Directors and Officers**

44. No Director or Officer of the Health Board shall be liable for:
- (a) the acts, receipts, neglects or defaults of any other director or officer or employee;
  - (b) for joining in any receipt or act for conformity;
  - (c) for any loss, damage or expense happening to the Authority through the insufficiency or deficiency to title to any property acquired for or on behalf of the Health Board;
  - (d) for the insufficiency or deficiency of any security upon which any of the monies of the Health Board are placed or invested;
  - (e) for any loss or damage arising from the bankruptcy, insolvency or tortious act of any person, firm or corporation, including any firm, person or corporation with which any monies, securities or effects shall be deposited or lodged;
  - (f) for any loss, conversion, misapplication or misappropriation of or any damage resulting from any dealings with any monies, securities or other assets belonging to the First Nation or the Health Board;
  - (g) for any other loss, damage or misfortune whatsoever;

unless the above shall happen by their failure to exercise the powers and to discharge the duties of their office of trust honestly, in good faith and in the best interests of the Health Board, and to exercise the degree of care, diligence and skill that a reasonably prudent person would exercise in comparable circumstances.

**Indemnities to Directors and Officers**

45. Subject to the provisions of this by-law and within the limits of the coverage of insurance referred to herein, every Director and Officer, their heirs, executors, administrators and other legal personal representatives and persons acting on instruction of the Council or the Board shall be indemnified by the Health Board for:

- (a) Any liabilities, costs, charges and expenses that they sustain or incur in respect of any action, suit or proceeding that is proposed or commenced against them in respect of the bona fide execution of the duties of their office; and
- (b) All other charges and expenses which they sustain or incur in respect of the affairs of the Health Board, as approved by the Health Board.

**Insurance**

46.(1) The Board shall, with the approval of Council, purchase comprehensive liability insurance, which shall include primary coverage for the Board, Directors, employees, facilities and equipment.

46.(2) The Board shall, with the approval of Council, purchase insurance for motor vehicles from the Manitoba Public Insurance Corporation and said insurance shall provide for not less than One Million (\$1,000,000.00) Dollars coverage per incident for personal injuries, death and dismemberment.

46.(3) The Board shall require professionals and contractors to maintain adequate insurance coverage through their professional or other associations. Such requirement of coverage shall be a term of every contract.

DONE AND PASSED by Chief and Council assembled this 5<sup>th</sup> day of SEPT, A.D. 1995.

WUSKWI SIPIHK FIRST NATION

Charles Audy  
Chief

[Signature]  
Witness

[Signature]  
Councillor

[Signature]  
Witness

Karen Guiboche  
Councillor

[Signature]  
Witness

(A QUORUM FOR WUSKWI SIPIHK FIRST NATION CONSISTS OF TWO (2) COUNCIL MEMBERS)

I, CHARLES AUDY, Chief of the Wuskwi Sipiik First Nation, do hereby certify that a true copy of the foregoing by-law was forwarded to the Minister of Indian Affairs and Northern Development pursuant to section 82(1) of The Indian Act this 5<sup>th</sup> day of SEPT, 1995.

[Signature]  
Witness

Charles Audy  
Chief

**BAND COUNCIL RESOLUTION  
RÉSOLUTION DE CONSEIL DE BANDE**

**NOTE:** The words "From our Band Funds" "Capital" or "Revenue", whichever is the case, must appear on all resolutions respecting 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 de bandes

Band Council of the le conseil de la bande indienne	<b>WUSKWI SIIPIHK FIRST NATION</b>	Current Capital Balance Solde de capital	\$ _____
Agency District		Committed Engagé	\$ _____
Province	<b>MANITOBA</b>	Current Revenue Balance Solde de revenu	\$ _____
Place Lieu de l'endroit		Committed Engagé	\$ _____
Date Date	<u>05</u> / <u>09</u> / AD 19 <u>95</u> (Day - Jour) (Month - Mois) (Year - Année)		

**I HEREBY RESOLVE:  
J'ÉCIDE, PAR LES PRÉSENTES:**

**WHEREAS** Wuskwi Siihik First Nation defines health in the same terms as endorsed by the World Health Organization as a state of complete physical, mental and social well being and not merely the absence of disease or infirmity;

**AND WHEREAS** the people of the Wuskwi Siihik First Nation have a right to health services at an adequate and proper level as to meet their health requirements;

**AND WHEREAS** the Wuskwi Siihik First Nation entered into solemn Treaty arrangements with Her Majesty's Government of the Dominion of Canada by adhesion to Treaty #4;

**AND WHEREAS** Section 81(1) of the *Indian Act* R.S.C. 1970 Ch. 1-6 as amended empowers Wuskwi Siihik First Nation to make by-laws with respect to health and related matters, and with respect to matters related to or ancillary to the exercise of powers under Section 81(1);

**AND WHEREAS** Wuskwi Siihik First nation members desire their Chief and Council to create, maintain and operate a local health authority on their reserve;

**AND WHEREAS** on August 16, 1994, the Chief and Council of the Wuskwi Siihik First Nation passed and enacted the Wuskwi Siihik Health Authority By-Law, and ratified same by way of Band Council Resolution;

**AND WHEREAS** after experiencing the operation of the Wuskwi Siihik Health Authority By-Law and the Wuskwi Siihik Health Authority Board, the Chief and Council have come to the conclusion that it is desirable to revise the by-law so that it may serve the members of the Wuskwi Siihik First Nation more effectively;

Quorum for this Band  
le quorum de cette bande est

consists of 2  
à \_\_\_\_\_

Council Members  
membres du Conseil.

*[Signature]*  
(Chief - Chef)

*[Signature]*  
(Councillor - Conseiller)

*[Signature]*  
(Councillor - Conseiller)

*[Signature]*  
(Councillor - Conseiller)

*[Signature]*  
(Councillor - Conseiller)

\_\_\_\_\_  
(Councillor - Conseiller)

\_\_\_\_\_  
(Councillor - Conseiller)

\_\_\_\_\_  
(Councillor - Conseiller)

\_\_\_\_\_  
(Councillor - Conseiller)

**FOR DEPARTMENTAL USE ONLY - RÉSERVÉ AU MINISTÈRE**

Band Council le conseil de bande	2. Capital - Fonds de capital		3. Expenditure - Dépenses	4. Authority (Indian Act Section) / Autorité (Article de la Loi sur les Indiens)	5. Source of Funds / Source des fonds <input type="checkbox"/> Capital <input type="checkbox"/> Revenue
	A. Capital \$ _____	B. Revenue - Revenu \$ _____			
Recommended - Recommandé			Approved - Approuvé		
Date	Recommending Officer / Recommandé par	Date	Approving Officer / Approuvé par		

Chronological No - N° consécutif  
 File Reference - N° de référence du dossier  
**New Health By-Law**

**BAND COUNCIL RESOLUTION  
 RÉSOLUTION DE CONSEIL DE BANDE**

JIE: The words "Inuk or Inuit" "Capital" or "Revenue", whichever is the case, must appear in all resolutions requesting expenditures from Band Funds  
 JIA: Les Mots "Inuk ou Inuit" "Capital" ou "Revenu" selon le cas doivent paraître dans toutes les résolutions portant sur des dépenses à même les fonds de bandes

Band Council of the Conseil de la bande indienne	<b>WUSKWI SIPIHK FIRST NATION</b>	Current Capital Balance Solde de capital	\$ _____
Agency District		Committed Engagé	\$ _____
Province	<b>MANITOBA</b>	Current Revenue Balance Solde de revenu	\$ _____
Place Nom de l'endroit		Committed Engagé	\$ _____
Date Date	<u>05</u> <u>09</u> AD 19 <u>95</u> Day - Jour Month - Mois Year - Année		

I HEREBY RESOLVE:  
 J'ECRIS PAR LES PRÉSENTES:

page 2 of 2

**BE IT THEREFORE RESOLVED THAT** Wuskwi Sipiik First Nation Health Authority By-Law, enacted by Chief and Council on August 16, 1994, and ratified by Band Council Resolution, is hereby repealed.

**BE IT FURTHER RESOLVED THAT** Wuskwi Sipiik First Nation Amended Health Authority By-Law, attached hereto as Schedule "A", is hereby enacted.

**BE IT FURTHER RESOLVED THAT** pursuant to the Wuskwi Sipiik First Nation Amended Health Authority By-Law, the Chief and Council hereby appoint the following members of the Chief and Council to sit as voting members on the Board of Directors of the Health Authority:

DARREN AUDY

KAREN GUIBOCHE

**BE IT FURTHER RESOLVED THAT** pursuant to the Wuskwi Sipiik First Nation Amended Health Authority By-Law, the Chief and Council hereby appoint and confirm the following members of the Wuskwi Sipiik First Nation to sit as voting members on the Board of Directors of the Health Authority for a term of four (4) years, or until the next regular election for the Health Board:

LILLIAN AUDY

TINA STEVENS

CHRISTINA MOORE

LYLE AUDY

FLORENCE KEMATCH

Quorum for this Band  
 Le quorum de cette bande est

consists of  
 se compose de

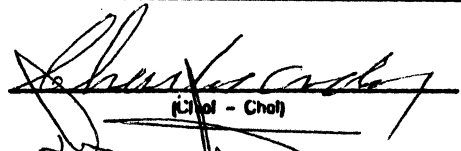
\_\_\_\_\_ 2 \_\_\_\_\_  
 Council Members.  
 Membres du Conseil.

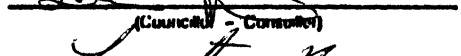
\_\_\_\_\_  
 (Councillor - Conseiller)

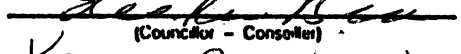
\_\_\_\_\_  
 (Councillor - Conseiller)


\_\_\_\_\_  
 (Councillor - Conseiller)

\_\_\_\_\_  
 (Councillor - Conseiller)

  
 (Chief - Chef)

  
 (Councillor - Conseiller)

  
 (Councillor - Conseiller)

  
 (Councillor - Conseiller)

\_\_\_\_\_  
 (Councillor - Conseiller)

\_\_\_\_\_  
 (Councillor - Conseiller)

\_\_\_\_\_  
 (Councillor - Conseiller)

\_\_\_\_\_  
 (Councillor - Conseiller)

\_\_\_\_\_  
 (Councillor - Conseiller)

**FOR DEPARTMENTAL USE ONLY - RÉSERVÉ AU MINISTÈRE**

Total Fund Costs Total des coûts de la bande	2. Computed Balance Solde calculé		3. Expenditure - Dépenses	4. Authority (Under Act) See Item 4 Autorité (Article 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			
Committed - Reconnu	\$ _____	\$ _____	\$ _____		
Approved - Approuvé			Date: _____		





**WUSKWI SIPIHK FIRST NATION**

**BY-LAW TO REPEAL**

**WUSKWI SIPIHK FIRST NATION HEALTH AUTHORITY**

**Enacted by Chief and Council on August 16, 1994**

**PASSED AND ENACTED BY THE CHIEF AND COUNCIL OF THE  
WUSKWI SIPIHK CREE NATION, THIS 5<sup>th</sup> DAY OF  
SEPT, A.D. 1995**

**WUSKWI SIPIHK FIRST NATION**

**BY-LAW TO REPEAL HEALTH AUTHORITY**

**WHEREAS** Wuskwi SipiHK First Nation is a recognized and accredited First Nation situated on the Wuskwi SipiHK First Nation Reserve and governed by a Chief and Council in accordance with the provisions of the *Indian Act*;

**AND WHEREAS** Wuskwi SipiHK First Nation members have a right to health services at an adequate and proper level to meet their health requirements;

**AND WHEREAS** Wuskwi SipiHK First nation members desire their Chief and Council to create, maintain and operate a local health authority on their reserve;

**AND WHEREAS** on August 16, 1994, the Chief and Council of the Wuskwi SipiHK First Nation passed and enacted the Wuskwi SipiHK Health Authority By-Law;

**AND WHEREAS** Section 81(1) of the *Indian Act* R.S.C. 1970 Ch. 1-6 as amended empowers Wuskwi SipiHK First Nation to make by-laws with respect to health and related matters, and with respect to matters related to or ancillary to the exercise of powers under Section 81(1);

**AND WHEREAS** after experiencing the operation of the Wuskwi SipiHK Health Authority By-Law and the Wuskwi SipiHK Health Authority Board, the Chief and Council have come to the conclusion that it is desirable to revise the by-law so that it may serve the members of the Wuskwi SipiHK First Nation more effectively;

**BE IT ENACTED AND THEREFORE IT IS HEREBY ENACTED** by the Chief and Council of the Wuskwi SipiHK First Nation that:

**By-Law Repealed**

1. The Wuskwi SipiHK First Nation Health Authority By-Law enacted by the Chief and Council of the Wuskwi SipiHK First Nation as of August 16, 1995, and ratified by Band Council Resolution, is hereby repealed.

**By-Law Enacted**

2. The Wuskwi SipiHK First Nation Amended Health Authority By-Law, attached hereto as Schedule "A", as passed and enacted by Chief and Council of the Wuskwi SipiHK First Nation, and ratified by Band Council Resolution, is hereby enacted.

**DONE AND PASSED** by Chief and Council assembled this 5<sup>th</sup> day of SEPT, A.D. 1995.

WUSKWI SIPIHK FIRST NATION

Charles G. G. G.  
Chief

[Signature]  
Councillor

Karen Guibache  
Councillor

[Signature]  
Witness

[Signature]  
Witness

[Signature]  
Witness

(A QUORUM FOR WUSKWI SIPIHK FIRST NATION CONSISTS OF TWO (2) COUNCIL MEMBERS)

I, CHARLES AUDY, Chief of the Wuskwi Sipiik First Nation, do hereby certify that a true copy of the foregoing by-law was forwarded to the Minister of Indian Affairs and Northern Development pursuant to section 82(1) of The Indian Act this 5<sup>th</sup> day of SEPT, 1995.

[Signature]  
Witness

[Signature] Chief