TOWN BY-LAW # 14/1983-84

BY-LAW RESPECTING CONSERVATION AND CONSERVATION OFFICERS PROPOSED BY: Chief Billy Two Rivers SECONDED BY: Chief Kenneth Kane

The following by-law was duly adopted by the Mohawk Council of Kahnawake of the Kahnawake Indian Reserve No. 14 in the Province of Quebec at a meeting duly convened and held at the Band Council office, Kahnawake, on October 31, 1983.

The present by-law repeals and replaces all existing bylaws, resolutions, rules or regulations on the subject matter and supercedes same where inconsistent with this by-law.

In virtue of its powers under sec. 81(c), (o), (p), (q) of the <u>Indian Act</u>, R.S., c.149 as amended to date, the Mohawk Council of Kahnawake hereby creates the position and office of Conservation Officer.

The power and duties of the Conservation Officer shall be to:

- (a) enforce the by-laws, rules and regulations adopted by the Mohawk Council of Kahnawake concerning the preservation, protection and management of fur-bearing animals, fish and other game on the Indian reserve(s) set aside for the Mohawk people of Kahnawake and over which it has jurisdiction;
- (b) institute proceedings and enforce by-laws, rules and regulations of the Mohawk Council as well as the Indian Act in the case of persons trespassing upon the reserve(s) or frequenting the reserve(s) for prescribed purposes;
- (c) investigate complaints concerning violations of any bylaw, rule, or regulation of the Mohawk Council of Kahnawake concerning conservation and/or the environment;
- (d) investigate complaints concerning violations of the Indian Act concerning conservation and/or the environment;
- (e) institute proceedings and enforce violations of the Indian Act or any by-law, rule, or regulation concerning conservation and/or the environment upon the reserve(s).

The conservation officer's duties and powers shall be considered to be public duties and powers for all legal purposes.

No one can act as a Conservation Officer until sworn in by a Justice of the Peace upon recommendation by the Mohawk Council of Kahnawake by Resolution duly passed.

Appointment as a Conservation Officer can be revoked upon Resolution by the Mohawk Council of Kahnawake.

Criteria for eligibility for the position of Conservation Officer are as follows:

- Must be a Mohawk of Kahnawake, as determined by the Mohawks of Kahnawake;
- Must be in satisfactory physical and mental health, verified by a medical certificate;
- 3. Must have a good level of education;
- Must have a driver's permit of the Province or willing to acquire same;
- 5. Must not have a criminal record;
- 6. Must be at least twenty-one years of age;
- 7. Must be available and willing to undertake training;
- 8. Must have par-medical training or be willing to undertake same.

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