

**KINGSCLEAR INDIAN BAND**

**BY - LAW # 7**

**LAW & ORDER**

- WHEREAS** the Council of the Kingsclear Indian Band desires to establish a by-law for the observance of law and order;
- WHEREAS** a by-law in this matter would facilitate the self governing abilities of the Kingsclear Indian Band;
- WHEREAS** **Section 107** of the **Indian Act** articulates justice capabilities of Justice of the Peace;
- WHEREAS** the Council of the Kingsclear Indian Band is empowered to make such a by-law, and any matters ancillary thereto, pursuant to paragraphs **81(c), (q), (r), 81(2)** and **81(3)** of the **Indian Act**;
- AND WHEREAS** it is considered to be expedient and necessary for the benefit, comfort and safety of the residents of the Kingsclear Indian Band to provide for the observance of law and order;
- NOW THEREFORE** the Council of the Kingsclear Indian Band hereby makes the following by-law:

**SHORT TITLE**

1. This by-law may be cited as the "**Kingsclear Reserve Observance of Law and Order By-law**".

**INTERPRETATION**

- "Band"** means the **Kingsclear Indian Band**;
- "Council"** means the Council of the Kingsclear Indian Band;
- "Officer"** means members of law enforcement agencies charged with the duty to preserve and maintain law and order on the Reserve;
- "person"** includes a **corporation**;
- "reserve"** means the **Kingsclear Indian Reserve**.

2. The officer in empowered to ensure that all by-laws and regulations of the Kingsclear Indian Band are respected and enforced;
3. A court of competent jurisdiction may make an order prohibiting the continuation or repetition of offenses by the person(s) convicted;
4. Any fines levied as a result of by-law enforcement is deemed to be the property of the Kingsclear Indian Band;
5. The Band may establish a judicial capacity to enforce its laws.

**PENALTY**

6. A person who violates any provision of this by-law commits an offence and is liable on summary conviction to a fine not exceeding one thousand (\$1,000.00) or to imprisonment for a term not exceeding thirty (30) days, or both.

The quorum of the Council is 3 members.

I, *John S. ...* Chief of the Kingsclear Indian Band, do hereby certify that a true copy of the foregoing by-law was faxed to the Minister of Indian Affairs and Northern Development at the Regional Office pursuant to subsection 82(1) of the Indian Act, this 19<sup>th</sup> day of May, 1993.

*John S. ...*  
CHIEF

*John ...*  
COUNCILLOR

*...*  
COUNCILLOR

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