

THE KINGSCLEAR INDIAN BAND

BY-LAW NUMBER THREE

Being a By-Law to regulate the activities of children on the Kingsclear Indian Reserve under Sixteen years of age.

WHEREAS section 81(c)(d)(q) and (r) of the INDIAN ACT R.S.C. 1970, Ch. 1-6, empowers the Council of an Indian Band to enact by-laws to regulate law and order; disorderly conduct and nuisances, and matters ancillary thereto, and the imposition of a penalty for the violation thereof;

AND WHEREAS the COUNCIL OF THE KINGSCLEAR BAND OF INDIANS deems it necessary to regulate the activities of children under sixteen years of age on the Kingsclear Indian Reserve;

NOW THEREFORE the COUNCIL OF THE KINGSCLEAR BAND OF INDIANS makes as follows:

1. (a) "child" means any boy or girls under the age of 16 years;
 - (b) "Council" means the council, as defined in the Indian Act, of the Kingsclear Band of Indians;
 - (c) "parent" includes the father, mother or guardian of a child;
 - (d) "prohibited hours" means and includes that period of time between the hour of 10 o'clock in the afternoon of one day and the hour of 6 o'clock in the morning of the following day, local time, during the full calendar months of the year;
 - (e) "Reserve" means that tract of land the legal title to which is vested in Her Majesty that has been set apart by Her Majesty for the use and benefit of the Kingsclear Band of Indians and known as the Kingsclear Reserve No.6.
2. No child shall loiter within the Reserve during the prohibited hours.
 3. No child shall go to or from, or be in, a place of public entertainment, street, lane, by-way, or common, within the Reserve during the prohibited hours unless accompanied by a parent or an adult appointed by a parent for that purpose.

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4. (1) A child found violating the provisions of this by-law may be warned and escorted home by a Band Constable, or Band Social Workers or a by-law enforcement officer, or such other person appointed by resolution of the Council to enforce this by-law.
- (2) A Band Constable or Band Social Worker or a by-law enforcement officer, or such other person appointed by resolution of the Council to enforce this by-law may apply subsection 4(1) of this by-law in respect to any person to believe is under the age of 16 years.
5. (1) If, after the warning referred to in subsection 4(1) of this by-law, the warning is disregarded or the child is found disobeying this by-law again, the parents of such child may be directed, by resolution of the Council, to meet and discuss the situation with the Welfare Committee appointed by the Council for the protection of children.
- (2) A copy of the resolution of the Council referred to in Subsection 5(1) shall be sent by first class mail or delivered by hand to the parent not less than 7 clear days prior to the proposed meeting.
6. A parent who permits a child to violate any of the provisions of this by-law shall be guilty of an offence, and shall be liable on summary conviction to a fine not exceeding one hundred dollars or imprisonment for a term not exceeding thirty days or both fine and imprisonment.

Approved and passed at a duly convened meeting of the Council of the Kingsclear Band of Indians this June 18 day of 1986.

SIGNED

Steve Sacobie

Chief Steve Sacobie

SIGNED

Joan Polchies

Councillor Joan Polchies

SIGNED

Robert Atwin

Councillor Robert Atwin

SIGNED

Clifford Sacobie

Councillor Clifford Sacobie

SIGNED

Walter J. Paul

Councillor Walter Paul