

THE FOND DU LAC BAND OF INDIANS
BY-LAW NO. 01 of 1985

Being a By-law to provide for law and order

WHEREAS paragraphs (c), (q) and (r) of Section 81 of The Indian Act empower the Council of the Band of Indians to make by-laws for the observance of law and order, and on any matter ancillary thereto, and the imposition of a penalty for the violation thereof;

NOW THEREFORE the council of the Fond du Lac Band of Indians enacts as a by-law as follows:

1. In this by-law:

(a) "Council" means the Council, as defined by The Indians Act, of the Fond du Lac Band of Indians;

(b) "Reserve" means that tract of land the legal title to which is vested in Her Majesty that has been set apart for the use and benefit of the Fond du Lac Band of Indians and known as the Fond du Lac Reserve No. 227;

2. No person shall remove, deface, destroy, damage, mutilate, or in any manner whatsoever vandalise public property on the Reserve or attempt to vandalise such property.

3. No person shall wilfully interrupt, or disquiet by profane discourse, by rude or indecent behaviour, by the making of noise or noises, or in any manner whatsoever disturb the order or solemnity of:

(i) any meeting of the Council;

(ii) any religious festival;

(iii) any assemblage of Indians met for the consideration and discussion of matters of public interest, or

(iv) any assemblage on the Reserve held for any lawful purpose.

4. No person directly or indirectly by himself or by any other person on his behalf sell, barter, supply or give an intoxicant to any person on the Fond du Lac Reserve.

5. No person shall open or keep or caused to be opened or kept on the Fond du Lac Reserve a dwelling-house, building, tent or place in which intoxicants are sold, supplied or given to any person.

6. No person shall make or manufacture intoxicants on the Fond du Lac Reserve.

7. No person shall have intoxicants in his possession on the Fond du Lac Reserve.

8. No person shall be intoxicated on the Fond du Lac Reserve.

9. Provision under this by-law relating to intoxicants do not apply where the intoxicant is used or intended to be used in case of sickness or accident and where the intoxicant is prescribed by a physician licensed to practise medicine in the Province of Saskatchewan.

10. In any prosecution under this by-law, the burden of proof that an intoxicant was used or was intended to be used in a case of sickness or accident is upon the person charged.

11. In any prosecution under this by-law a certificate of analysis furnished by an analyst employed by the Government of Canada or by the Province of Saskatchewan shall be accepted as evidence of the facts stated therein and of the authority of the person giving or issuing the certificate, without proof of the signature of the person appearing to have signed the certificate or of his official character and without further proof thereof.

12. The Liquor Act of the Province of Saskatchewan, R.S.S. Ch L-18, 1978, including the definitions therein and the amendments thereto, except as the same may be inconsistent with this by-law including its definitions, shall apply to the Fond du Lac Reserve.

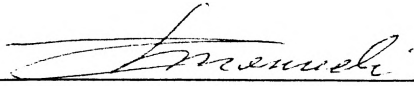
13. Whenever a Peace Officer believes on reasonable grounds that an offence against this by-law has been committed, he may seize all goods and chattles by means of or in relation to which he reasonably believes the offence was committed.

All goods and chattles seized pursuant to this provision may be detained for a period of up to three (3) months following date of seizure unless during that period, proceedings under this by-law in respect of such offence are undertaken, in which case the goods and chattles may be further detained until such proceedings are finally concluded. The purpose of this proviso is to preserve such goods and chattles as evidence for any Court proceedings initiated under this by-law.

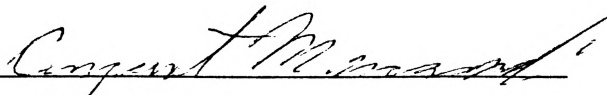
14. Any person who violates any of the provisions of this by-law shall be guilty of an offence, and shall be liable on summary conviction to a fine not exceeding one hundred (\$100.00) dollars or imprisonment for a term not exceeding thirty (30) days, or to both fine and imprisonment.

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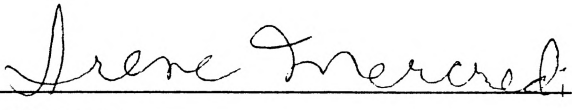
APPROVED AND PASSES AT A DULY CONVENED MEETING OF THE COUNCIL OF THE FOND DU LAC BAND OF INDIANS THIS 21 DAY OF January OF A.D. 1985.



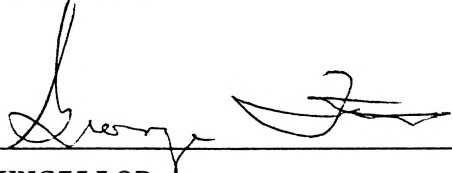
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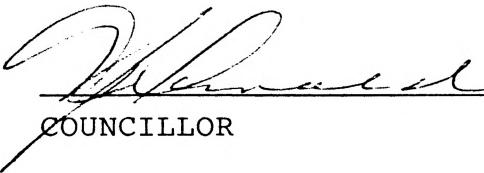
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