

PREAMBLE

WHEREAS Section 85.1 of the INDIAN ACT, R.S.C. 1985, c. I-6, empower the Council of a Band to make by-laws respecting the regulation of the presence and use of intoxicants on Indian Reserves and the imposition of a fine for the violation thereof;

AND Whereas a majority of the electors of the Band who attended a special meeting of the Louis Bull Band No: 138B on the 20th day of NOVEMBER 19 85 called by the Council of the Louis Bull Band for the purpose of considering the contents of this by-law;

AND Whereas the Louis Bull Band Council considers necessary special measures for the protection of the residents of the Reserve of the Louis Bull Band from the presence and use of intoxicants;

NOW THEREFORE the Council of the Louis Bull Band of Indians No: 138B hereby enacts the following by-law.

SON/86-123
dated Jan 14/86.

- I. (1) IN THIS BY-LAW:
- a. "Band" means the Louis Bull Indian Band No: 138B
 - b. "COUNCIL" means the Council of the Band, as defined in the INDIAN ACT, of the Louis Bull Band.
 - c. "RESERVE" means the tract of land, the legal title to which is vested in Her Majesty and set apart by Her Majesty for the use and benefit of the Louis Bull Band of Indians, and includes special Reserves;
 - d. "BAND MEMBER" means a member of the Louis Bull Band of Indians whose name appears on the Band list;
 - e. "RESIDENT" means any person who actually resides on the Reserve whether or not that person is a Band Member;
 - f. "INTOXICANT" includes alcohol, alcoholic, spirituous, vinous, fermented malt, or other intoxicating liquor or combination of liquors and mixed liquor a part of which is spirituous, vinous, fermented or otherwise intoxicating and all drinks or drinkable liquids and all preparations or mixtures capable of human consumption that are intoxicating;

(2) FOR THE PURPOSES of Subsection (1)(f), a liquid preparation or mixture that contains more than 1.5% alcohol by volume shall be conclusively deemed to be intoxicating.

2. Everyone who sells, barter, supplies or manufactures intoxicants on the Reserve of the Louis Bull Band is guilty of an offence punishable on summary conviction.
3. Everyone who is intoxicated on the Reserve of the Louis Bull Band is guilty of an offence punishable on summary conviction.
4. Notwithstanding Section 3, no offence is committed

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- against this by-law where a person is found intoxicated in his home or in a private dwelling to which he is invited.
5. Everyone who is found in possession of intoxicants is guilty of an offence punishable on summary conviction.
 6. Notwithstanding Section 5, no offence is committed against this by-law if the person in possession is transporting the intoxicant across the Reserve to a destination beyond the Reserve boundary.
 7. For greater certainty, the penalties for contravention of this by-law are set out in the INDIAN ACT.
 8. Repeal of this by-law shall require the assent of a majority of the electors of the Band who vote at a special meeting of the Band called by the Council of the Band for the purpose of repealing this by-law.
 9. Amendments of this by-law shall require a simple majority of the Council of the Band at a meeting called for the purpose of amending this by-law.
 10. The amendments or repeal of this by-law, pursuant to sections 8 and 9, shall be recorded and filed with the Minister of the Department of Indian and Northern Affairs.
 11. This by-law shall come into force on the date of final reading by Council.

READ AND PASSED for first reading this 11th day of
DECEMBER A.D. 19 85.

READ AND PASSED for second reading this 11th day of
DECEMBER A.D. 19 85.

READ AND PASSED for third reading this 11th day of
DECEMBER A.D. 19 85.

APPROVED AND PASSED at a duly convened meeting of the Louis Bull Band Council this 29th day of DECEMBER A.D. 19 85.

WE THE COUNCIL of the Louis Bull Band do hereby certify that a true and exact copy of the foregoing by-law 85-4 was mailed to the Minister of Indian and Northern Affairs pursuant to Section 85.1 of the INDIAN ACT, this

29th day of DECEMBER A.D. 19 85.

LOUIS BULL BAND COUNCIL

Amos Thuyngus
Chief

[Signature]
Councillor

[Signature]
Councillor

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Councillor

Councillor

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Councillor

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Councillor

RECEIVED BY:

of the Alberta Region, Indian and Northern Affairs, Edmonton, Alberta this _____ day of _____ A.D. 19 ____.