

CERTIFICATION

Pursuant to Section 86, Indian Act RSC 1985 C.I-5 and amendments thereto, I certify that the attached copy of the Stellat'en First Nation's By-law No. 1998-1, Respecting the Appropriation and Expenditure of Moneys for Primary and Secondary Education, dated the 20th day of November, 1998 is a true copy of the said by-law.



Gail Ksonzyna, A/Director
Lands and Trust Services,
a Superintendent as defined in
Sec 2(1) Indian Act RSC 1985

Minister of Indian Affairs
and Northern Development



Ministre des Affaires
indiennes et du Nord canadien

Ottawa, Canada K1A 0H4

I, the Minister of Indian Affairs and Northern Development, HEREBY
APPROVE, pursuant to section 83 of the *Indian Act*, the following
by-law made by the Stellat'en First Nation, in the Province of British
Columbia, at a meeting held on the 20th day of November 1998.

Stellat'en First Nation
By-law No. 1998-1
Respecting the Appropriation and
Expenditure of Moneys for Primary and Secondary Education

Dated at Ottawa, Ontario this 05 day of November 1999.

Canada

STELLAT'EN FIRST NATION

(BY-LAW NO. 1998 - 1)

A by-law to provide for the appropriation and expenditure of moneys of the Stellat'en First Nation to defray the Stellat'en First Nation's expenses for primary and secondary education of its members.

WHEREAS the Council of the Stellat'en First Nation desires to establish a by-law to provide for the appropriation and expenditure of moneys of the Stellat'en First Nation to defray the Stellat'en First Nation's expenses for primary and secondary education of its members;

AND WHEREAS the Council of the Stellat'en First Nation is empowered to make such by-law pursuant to paragraph 83(1)(b) of the *Indian Act*;

AND WHEREAS it is considered to be expedient and necessary, for the benefit and education of the members of the Stellat'en First Nation, to provide for the appropriation and expenditure of moneys of the Stellat'en First Nation to defray the Stellat'en First Nation's expenses for primary and secondary education of its members;

NOW THEREFORE the Council of the Stellat'en First Nation hereby enacts the following as a by-law:

Short Title

1. This by-law may be cited for all purposes as "*By-law No. 1998 - 1 Respecting the Appropriation and Expenditure of Moneys for Primary and Secondary Education*".

Interpretation

2. In this by-law:

"Council" means the Council of the Stellat'en First Nation;

"FTA" means Federal Transfer Agreement between the Stellat'en First Nation and the Minister of Indian Affairs and Northern Development from time to time;

"Members" means members of the Stellat'en First Nation;

"Primary Education" means the grades kindergarten to 7;

"School District 91" means School District Number 91 - Nechako Lakes or its successors; and,

"Secondary Education" means grades 8 to 12.

Appropriation of Money

3. (1) In accordance with and pursuant to the FTA, the Council shall appropriate money for Primary Education and Secondary Education of Members.
- (2) The Council shall ensure, before any appropriation pursuant to subsection (1) occurs, that a binding and enforceable agreement between School District 91 and the Stelat'en First Nation is in place.
- (3) Notwithstanding subsection (2), it shall be competent for Council to appropriate moneys for the Primary Education and Secondary Education of Members, month by month, in the event that there is no agreement as set out in subsection (2).
- (4) Council shall meet, debate and vote upon the monthly appropriations referred to in subparagraph (3) at least two weeks prior to any such appropriation.

Expenditure of Money

4. (1) Subject to the appropriations having been made pursuant to section 1, Council shall expend the moneys required and necessary for the Primary Education and Secondary Education of Members.
- (2) Council shall be prohibited from expending moneys for the Primary Education and Secondary Education of Members where no agreement between School District 91 and the Stelat'en First Nation exists.
- (3) Notwithstanding subsection (2), and subject to subsection 1(3), it shall be competent for Council to expend moneys for the Primary Education and Secondary Education of Members, month by month, in the event that there is no agreement as set out in subsection (2).
- (4) Council shall meet and vote upon the monthly expenditures referred to in subsection (3) at least two weeks prior to any such expenditure.

Saving

5. Notwithstanding anything to the contrary contained herein, it shall be competent for Council, at its absolute discretion, to appropriate moneys in accordance with and pursuant to the FTA and to expend such moneys for Primary Education and Secondary Education of Members by institutions and organizations other than School District 91 provided always that such appropriations and such expenditures shall be made in accordance with this by-law.
6. Where there is no FTA, the provisions of sections 3, 4 and 5 do not apply such that Council may, in its absolute discretion, appropriate and expend moneys for Primary Education and Secondary Education of Members as it sees fit.

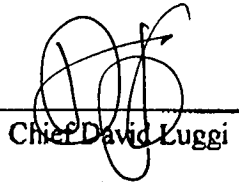
Enactment

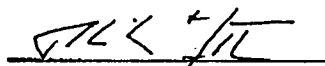
THIS BY-LAW IS HEREBY enacted by the Council of the Stellat'en First Nation at a duly convened meeting held on the 20th day of November, 1998.

Moved by: Patrick Michell, Councillor

Seconded by: Dennis Patrick, Councillor

Voting in favour of the by-law are the following members of the Council:


Chief David Luggi


Councillor Patrick Michell


Councillor Dennis Patrick

being the majority of those members of the Council of the Stellat'en First Nation present at the aforesaid meeting of the council.

The quorum of the Council of the Stellat'en First Nation is two members.