

**By-law No. 6
of the Mathias Colomb Band**

**A By-law for the removal and punishment of persons trespassing
or frequenting the reserve for prohibited purposes.**

**WHEREAS the Council of the Mathias Colomb Band, also known as the
Mathias Colomb Cree Nation desires to establish a by-law to provide for
the removal and punishment of persons trespassing on the reserve or
frequenting the reserve for prohibited purposes;**

**AND WHEREAS the Council of the Mathias Colomb Band, also known
as the Mathias Colomb Cree Nation is empowered to make such by-law,
and any matter ancillary thereto pursuant to paragraph 81 (1), 9 (q) and
(r) of the Indian Act;**

**NOW THEREFORE the Council of the Mathias Colomb Band, also
known as the Mathias Colomb Cree Nation hereby makes the following
by-law:**

- 1. This by-law may be cited as "By-law No. 6 respecting the removal
of trespassers on the Mathias Colomb Band Reserve."**

2. **In this by-law**

"Band" means the Mathias Colomb Band;

"Council" means the Council of the Mathias Colomb Band as defined in the Indian Act;

"Minister" means the Minister of Indian Affairs and Northern Development;

"Officer" means any police officer, police constable or other person charged with the duty to preserve and maintain the public peace, and any person appointed by the Council for the purpose of maintaining law and order on the reserve.

"reserve" means the reserve of the Mathias Colomb Band and includes reserves No. 198 and No. 199;

"trespass" means the entry onto, or the presence on, the reserve by a person without lawful justification.

3. **(1)A person, other than a person referred to in subsection (2), who conducts on the reserve any of the following activities, namely:**

4. **(a) hunting, fishing or trapping**

(b) hawking or peddling of wares or merchandise;

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- (c) loitering; or**
- (d) soliciting financial assistance.**

shall be deemed to be frequenting the reserve for a prohibited purpose.

(2) Subsection (1) does not apply to

- (a) a person who is a lawful resident of the reserve; or**
- (b) a person who, under a by-law of the Council, holds a valid licence to conduct any activity referred to therein or is otherwise permitted to conduct that activity.**

4. (1) An officer may order any person who trespasses on the reserve or who frequents for a prohibited purpose to leave the reserve immediately.

(2) Where a person who has been ordered to leave the reserve fails or refuses to do so, an officer may take such reasonable measures as may be necessary to remove the person from the reserve.

(3) No person shall fail or refuse to comply with an order made under

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section (1) to leave, or shall resist or interfere with an officer acting under subsection (2).

- 5. A person who violates any provision of this by-law commits an offense and is liable on summary conviction to a fine not exceeding \$1000.00 or to imprisonment for a term not exceeding thirty days, or to both.**
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This by-law is hereby made at a duly convened meeting of the Council of the Mathias Colomb Band this 22 day of April, 1997.


By-law No. 6
of the Mathias Colomb Band

**A By-law for the removal and punishment of persons trespassing
or frequenting the reserve for prohibited purposes.**

WHEREAS the Council of the Mathias Colomb Band, also known as the Mathias Colomb Cree Nation desires to establish a by-law to provide for the removal and punishment of persons trespassing on the reserve or frequenting the reserve for prohibited purposes;

AND WHEREAS the Council of the Mathias Colomb Band, also known as the Mathias Colomb Cree Nation is empowered to make such by-law, and any matter ancillary thereto pursuant to paragraph 81 (1), 9 (q) and (r) of the Indian Act;

NOW THEREFORE the Council of the Mathias Colomb Band, also known as the Mathias Colomb Cree Nation hereby makes the following by-law:

- 1. This by-law may be cited as "By-law No. 6 respecting the removal of trespassers on the Mathias Colomb Band Reserve.**
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2. In this by-law

"Band" means the Mathias Colomb Band;

"Council" means the Council of the Mathias Colomb Band as defined in the Indian Act;

"Minister" means the Minister of Indian Affairs and Northern Development;

"Officer" means any police officer, police constable or other person charged with the duty to preserve and maintain the public peace, and any person appointed by the Council for the purpose of maintaining law and order on the reserve.

"reserve" means the reserve of the Mathias Colomb Band and includes reserves No. 198 and No. 199;

"trespass" means the entry onto, or the presence on, the reserve by a person without lawful justification.

3. (1) A person, other than a person referred to in subsection (2)

who conducts on the reserve any of the following activities,
namely:

- (a) hunting, fishing or trapping
- (b) hawking or peddling of wares or merchandise;
- (c) loitering; or
- (d) soliciting financial assistance.

shall be deemed to be frequenting the reserve for a
prohibited purpose.

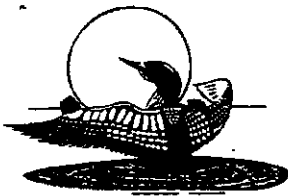
(2) Subsection (1) does not apply to

- (a) a person who is a lawful resident of the reserve; or
- (b) a person who, under a by-law of the Council, holds a
valid licence to conduct any activity referred to therein
or is otherwise permitted to conduct that activity.

4. (1) An officer may order any person who trespasses on the
reserve or who frequents for a prohibited purpose to leave
the reserve immediately.

- (2) **Where a person who has been ordered to leave the reserve fails or refuses to do so, an officer may take such reasonable measures as may be necessary to remove the person from the reserve.**
- (3) **No person shall fail or refuse to comply with an order made under section (1) to leave, or shall resist or interfere with an officer acting under subsection (2).**
5. **A person who violates any provision of this by-law commits an offense and is liable on summary conviction to a fine not exceeding \$1000.00 or to imprisonment for a term not exceeding thirty days, or to both.**

This by-law is hereby made at a duly convened meeting of the Council of the Mathias Colomb Band this 22 day of April, 1997.

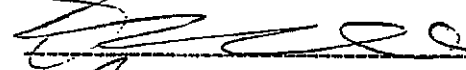

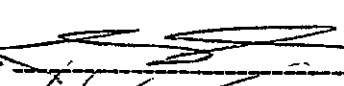
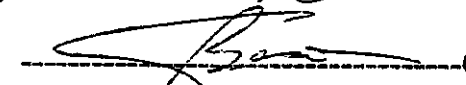
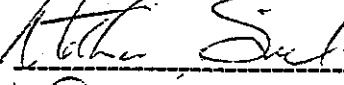
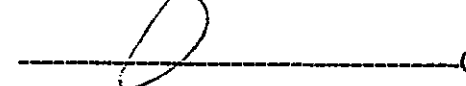

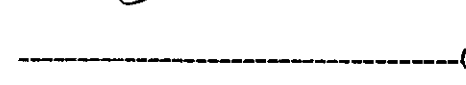
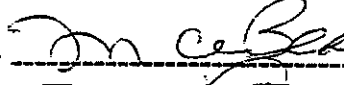




Mathias Colomb Cree Nation
PUKATAWAGAN, MANITOBA
R0B 1G0

PHONE: 1 (204) 553-2089-2090
FAX: 1 (204) 553-2419

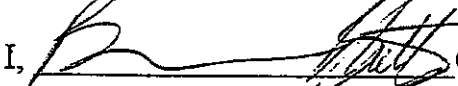
THIS BY-LAW IS HEREBY enacted at a duly convened meeting of the Chief and Council of the Mathias Colomb Cree Nation this 22 day of April 1997.

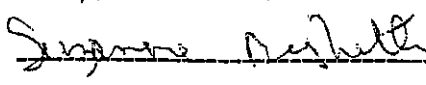
Voting in favor of the by-law are the following members of the Chief and Council:

	Chief		
	Councillor		Councillor
	Councillor		Councillor
	Councillor		Councillor
	Councillor		Councillor
	Councillor		Councillor

being a majority of these members of the Chief and Council of the Mathias Colomb Band present at the aforesaid meeting of the Chief and Council.

The quorum of the Chief and Council is 6 members.

I,  Chief / Councillor of the Band, do hereby certify that a true copy of the foregoing by-law was mailed to the Minister of Indian Affairs and Northern Development pursuant to subsection 82(1) of the Indian Act, this 2 day of November 1997.

 Witness

By-law No. 6a
of the Mathias Colomb Band
A By-law for the removal and punishment of persons trespassing
or frequenting the Reserve for prohibited purposes.

WHEREAS the Council of the Mathias Colomb Band, also known as the Mathias Colomb Cree Nation desires to establish a by-law to provide for the removal and punishment of persons trespassing on the reserve or frequenting the reserve for prohibited purposes;

AND WHEREAS the Mathias Colomb Cree Nation is empowered to make such by-law by its inherent right to self-government as exercised since time immemorial;

AND WHEREAS the Council of the Mathias Colomb Band, also known as the Mathias Colomb Cree Nation is further entitled to make such by-law, and any matter ancillary thereto pursuant to paragraphs 81(1), (q) and (r) of the *Indian Act*;

NOW THEREFORE the Council of the Mathias Colomb Band, also known as the Mathias Colomb Cree Nation hereby makes the following by-laws:

1. This by-law may be cited as the "Trespassing By-law" respecting the removal of trespassers on the Mathias Colomb Band reserve.

2. In this by-law

"Band" means the Mathias Colomb Band;

"Council" means the Council of the Mathias Colomb Band as defined in the *Indian Act*;

"Minister" means the Minister of Indian Affairs and Northern development;

"Officer" means any police officer, police constable or other person charged with the duty to preserve and maintain the public peace, and any person appointed by the Council for the purpose of maintaining law and order on the reserve;

"reserve" means the reserve of the Mathias Colomb Band and includes reserves No. 198 and No. 199;

"trespass" means the entry onto, or the presence on, the reserve by a person without lawful justification.

3. (1) A person, other than a person referred to in subsection (2), who conducts on the reserve any of the following activities, namely:

(a) hunting, fishing or trapping.

- (b) hawking or peddling of wares or merchandise;
- (c) loitering; or
- (d) soliciting financial assistance

shall be deemed to be frequenting the reserve for a prohibited purpose.

- (2) Subsection (1) does not apply to
 - (a) a person who is a lawful resident of the reserve; or
 - (b) a person who, under a by-law of the Council, holds a valid licence to conduct any activity referred to therein or is otherwise permitted to conduct that activity.
- 4. (1) An officer may order any person who trespasses on the reserve or who frequents for a prohibited purpose to leave the reserve immediately.
- (2) Where a person who has been ordered to leave the reserve fails or refuses to do so, an officer may take such reasonable measures as may be necessary to remove the person from the reserve.
- (3) No person shall fail or refuse to comply with an order made under section (1) to leave, or shall resist or interfere with an officer acting under subsection (2).
- 5. A person who violates any provision of this by-law commits an offence and is liable on summary conviction to a fine not exceeding \$1,000.00 or to imprisonment for a term not exceeding thirty days, or to both.

6. This by-law shall have effect for the period January 1, 1993 to November 24, 1997, inclusive.

THIS BY-LAW IS HEREBY enacted at a duly convened meeting of the Chief and Council of the Mathias Colomb Cree Nation this 3rd day of MARCH, 1999.

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

[Signature]
Chief

[Signature]
Councillor

[Signature]
Councillor

[Signature]
Councillor

[Signature]
Councillor

[Signature]
Councillor

[Signature]
Councillor

[Signature]
Councillor

being a majority of these members of the Chief and Council of the Mathias Colomb Band present at the aforesaid meeting of the Chief and Council.

The quorum of the Chief and Council is 7 members.

I, Shirley C. [Signature] Chief/Councillor of the Band, do hereby certify that a true copy of the foregoing by-law was mailed to the Minister of Indian Affairs and Northern Development pursuant to subsection 82(1) of the *Indian Act*, this 4th day of MARCH, 1999.

[Signature]
Witness

**MATHIAS COLOMB CREE NATION
COUNCIL RESOLUTION**

THE COUNCIL OF THE MATHIAS COLOMB CREE NATION

PLACE: PUKATAWAGAN, MANITOBA

DATE: MARCH 3rd, 1999

WHEREAS the Council of the Mathias Colomb Cree Nation is empowered to act for and on behalf of the people of the Mathias Colomb Cree Nation;

AND WHEREAS the Council of the Mathias Colomb Cree Nation met in quorum at a duly convened meeting on the 3rd Day of MARCH, 1999;

AND WHEREAS the Mathias Colomb Cree Nation has since time immemorial exercised the right to govern its own affairs;

AND WHEREAS the Mathias Colomb Cree Nation's aboriginal and treaty rights, in particular the right to self-determination, are recognized, affirmed and protected under Treaty and the Constitution of Canada;

AND WHEREAS the Council of the Mathias Colomb Cree Nation desires to establish a by-law to provide for the removal and punishment of persons trespassing on the reserve or frequenting the reserve for prohibited purposes;

AND WHEREAS the Mathias Colomb Cree Nation is empowered to make such by-law by its inherent right to self-government as exercised since time immemorial;

AND WHEREAS the Council of the Mathias Colomb Cree Nation is further entitled to make such by-law and any matter ancillary thereto pursuant to paragraphs 81(1)(q) and (r) of the *Indian Act*;

AND WHEREAS the Council of the Mathias Colomb Cree Nation desires to give such by-law retroactive effect such that it will be effective for the period January 1, 1993 to November 24, 1997, inclusive;

**NOW THEREFORE THE COUNCIL OF THE MATHIAS COLOMB CREE NATION
RESOLVES AS FOLLOWS:**

1. That By-law No. 6a, which may be cited as the "Trespassing By-law" be passed by the Council.

2. That the By-law be effective for the period January 1, 1993 to November 24, 1997, inclusive.

Quorum: 7

D.O.C.D.
Chief

[Signature]
Councillor

[Signature]
Councillor

[Signature]
Councillor

[Signature]
Councillor

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Councillor

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Councillor

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Councillor