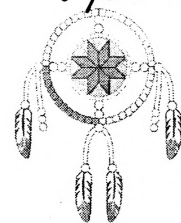


SHUBENACADIE BAND

522 Church Street
Indian Brook, Nova Scotia
B0N 1W0
Tel: (902) 758-2049
Fax: (902) 758-2017



Handwritten signatures and initials:
M. K...
R.F.
A.M.S.
R.C.

By-law Number: **T13-1**

By-Law for the Removal of Trespassers

Enacted on the 20th day of June, 2013

WHEREAS the Council of the Shubenacadie Band Council (the “Council”) desires to make a by-law to facilitate the removal of trespassers from the reserve;

AND WHEREAS it is considered necessary for the health, well-being, welfare and good governance of the Band to allow for the removal of individuals engaged in prohibited purposes and related matters;

AND WHEREAS paragraphs 81 (1)(p), (q), and (r) of the *Indian Act*, R.S.C. 1985, c 1-5 (hereinafter “the Act”), provide that a Council of a Band may make by-laws for the purposes of removing and punishing trespassers or persons who frequent the reserve for prohibited purposes, for any ancillary matters, and for imposing a penalty for violating any such by-law;

NOW THEREFORE the Council hereby makes the following by-law:

Short Title

1. This by-law may be cited as the Shubenacadie Band Removal of Trespassers By-law.

Interpretation

2. In this by-law:

“**on the reserve**” means physically located within the area defined as a “reserve” in the Act, and set aside for the use and benefit of the Shubenacadie Band and includes Indian Brook Indian Reserve No. 14 (and Dodd’s Lot Indian Reserve No. 14), Shubenacadie (Grand Lake) Indian Reserve No. 13, Pennal Indian Reserve No. 19, New Ross Indian Reserve No. 20, Wallace Hills Indian Reserve No. 14A;

“**prohibited purpose**” means any activity that constitutes an offence under any applicable by-law, provincial law, Federal law, Treaty or Aboriginal Right;

“**resident of the reserve**” means a person authorized to reside on the reserve pursuant to the Act or by permission of the Band Council.

7th
on
REC.
A.M.
RC

Trespassing

3. Any person who trespasses on the reserve is guilty of an offence and is liable on summary conviction to a maximum fine of one thousand dollars (\$1000), or imprisonment for a term not exceeding thirty (30) days or some combination of both.
4. Any person caught trespassing on the reserve may be asked to leave by a by-law officer, or a law enforcement officer. Should the person refuse to leave, he/she shall be escorted off the reserve by a law enforcement officer.

Frequenting the Reserve for Prohibited Purposes

5. Any person who frequents the reserve for prohibited purposes is guilty of an offence and is liable on summary conviction to a maximum fine of one thousand dollars (\$1000), or imprisonment for a term not exceeding thirty (30) days or some combination of both.
6. Any person caught frequenting the reserve for prohibited purposes may be asked to leave by a by-law officer, or a law enforcement officer. Should the person refuse to leave, he/she shall be escorted off the reserve by a law enforcement officer.

Severance

7. Should a court determine that a provision of this By-law is invalid for any reason, the provision shall be severed from the by-law and the validity of the rest of the by-law shall not be affected.

Effective Date

8. This By-law comes into force forty (40) days after a copy is mailed to the Minister of Indian and Northern Affairs and Northern Development (the "Minister"), being the 30th day of July, 2013, unless the Minister declares it to be in force before that date.

Shubenacadie Band Chief and Council- Signature page for the Shubenacadie Band Removal of Trespassers By-law (T13-1).




Chief Rufus Copage

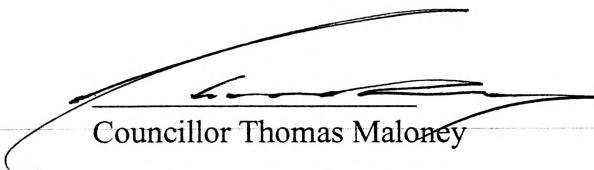
Councillor Earl Sack

Councillor Colleen Knockwood

Councillor Jerry F Sack

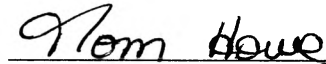


Councillor Michelle Glasgow

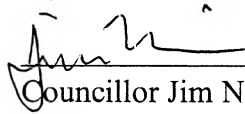


Councillor Thomas Maloney

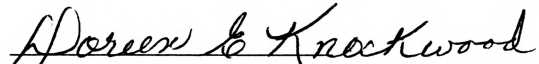
Councillor Michael Sack



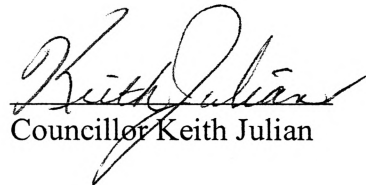
Councillor Tom Howe



Councillor Jim Nevin



Councillor Doreen Knockwood



Councillor Keith Julian

Councillor Ronnie Augustine



Councillor Alex McDonald