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CERTIFICATION

Pursuant to Section 86, Indian Act RSC 1985 C.I-5 and amendments thereto, I certify that the attached copy of the **Tsleil-Waututh First Nation Regulation of Band Meetings By-law 2002**, which came into effect January 15, 2003, is a true copy of the said by-law.



Kathy Hankin

A/Associate Director, Lands and Trust Services,
a superintendent as defined in
Section 2(1) Indian Act RSC 1985

TSLEIL WAUTUTH NATION

(Burrard Indian Band)

REGULATION OF BAND MEETINGS BY-LAW 2002

A By-law to provide for the regulation of conduct at meetings of the Tsleil Waututh Nation.

WHEREAS the Council of the Tsleil Waututh Nation also known as the Burrard Indian Band (the "Band") wishes to establish a By-law governing the conduct at meetings of the Band; and

WHEREAS the Council of the Band is empowered to make such a By-law and the imposition of a penalty for the violation thereof pursuant to paragraphs 81(1) (c), (d), (p.1) (q) and (r) of the *Indian Act*.

NOW THEREFORE BE IT RESOLVED the Council of the Band, at a duly convened meeting, enacts as a By-law the following:

Title

1. This By-law may be cited as the "TSLEIL WAUTUTH NATION REGULATION OF BAND MEETINGS BY-LAW 2002".

Definitions

2. In this By-law:

"Band" means the Tsleil Waututh Nation (Burrard Indian Band), a band of Indians as defined under the *Indian Act*;

"Band Council Resolution" or "Resolution" means a motion, as recorded in the minutes of the meeting, passed and approved at a duly convened meeting of the Band Council pursuant to the consent of a majority of the Councillors of the Band present at that meeting;

"Band Meeting" means a meeting called by the Band Council pursuant to section 4 of this By-law;

"Band member" means a person who is on the membership list of the Band;

"Chief and Council" or "Band Council" or "Council of the Band" means the Chief and Council of the Band elected pursuant to sections 2(1) and 74 of the *Indian Act* or any amendments or successors thereto;

"Disorderly Conduct" means any act or behaviour, including

- (a) fighting or causing any physical abuse;
- (b) threatening to fight or to cause any physical abuse;

- (c) making or causing unreasonable noise;
- (d) using abusive language or verbally threatening or abusing another member of the Band;
- (e) being intoxicated;
- (f) using offensive or indecent gestures or displays;
- (g) exposing, firing or discharging any gun, pistol or other firearm or using or threatening to use any other article as a weapon; or
- (h) interfering in any manner with the orderly conduct of commercial, administrative, educational, recreational, health care, religious or ceremonial activities on the Reserve,

that disrupts a Band Meeting;

“*Indian Act*” means the *Indian Act* R.S.C. 1985, c. I-5, as amended or re-enacted from time to time or any regulations promulgated thereunder;

“Intoxicant” has the same definition as in the *Indian Act*;

“Reserve” means Burrard Inlet Indian Reserve No. 3, Inlailawatash Indian Reserves No. 4 and 4A and any additions to the reserve lands of the Band;

3. This by-law shall be applicable to all areas of the Reserve.

Meeting of the Band

4. The Chief and Council may call a meeting of the Band membership as a whole or of certain members of the Band at such times as may be necessary for the conduct of affairs of the Band or to seek the input of the Band membership respecting a particular issue or issues or both.
5. A notice of the time, date, place and purpose of the Band Meeting shall be mailed to Band members, delivered to the homes of Band members who permanently or temporarily reside on the Reserve or posted in at least three (3) conspicuous places on the Reserve or any combination of these methods at least seven days before the Band Meeting is to be held unless the Band Council determines, acting reasonably, that the calling of a Band Meeting is urgent and, in that event, the seven day requirement may be waived

Agenda

6. The Agenda for the meeting shall be available for viewing at the Band office at least 48 hours prior to the date and time of the Band Meeting, unless the Band Meeting is of an urgent nature as set forth in section 5.

7. If a Band member wishes to seek an addition to the Agenda he/she must submit a written request stating the issue and the reasons why it should be added to the Agenda.
8. The Chief and Council have the discretion to decide whether an addition to the Agenda shall be made.

Order and Proceedings

9. The Chief of the Band shall be the presiding officer of the Band Meeting and if the Chief is not available a Councillor will be selected by the Chief to preside over the Band Meeting.
10. The presiding officer shall maintain order and decide all questions of procedure.
11. The order of business at the Band Meeting shall be as outlined on the Agenda.
12. When any Band member desires to speak at a Band Meeting, he/she shall address his/her remarks to the presiding officer and confine himself/herself to the question then before the Band Meeting.
13. In the event of more than one Band member desiring to speak at one time, the presiding officer shall determine the order of who is entitled to speak and whether a particular Band member or members are entitled to speak.
14. (1) The presiding officer may call a Band member to order while speaking and the debate shall then be suspended and the Band member shall not speak until the point of order is determined.

(2) The Band member called to order may speak only once on a point of order unless the presiding officer decides otherwise.

Vote

15. If the presiding officer is of the opinion that a vote is required to determine an issue the presiding officer will select the appropriate method of conducting the vote.

Disorderly Conduct

16. The presiding officer may expel or exclude from any Band Meeting any person who, in the reasonable opinion of the presiding officer, is causing a disturbance or engaging in any Disorderly Conduct at a Band Meeting.
17. The presiding officer may order the removal of any person from a Band Meeting if that person is in possession of an Intoxicant or if in the opinion of the presiding officer that person is under the influence of an Intoxicant and, as a result, causing a disturbance or engaging in Disorderly Conduct.

Enforcement

18. Where a person has been ordered to leave the Band Meeting and that person fails or refuses to comply, the Chief of the Band, or any other person appointed by the Band Council for the purpose of enforcing this By-law, may take such reasonable measures as are necessary to exclude that person from the Band Meeting, including the use of physical force if necessary.

Headings

19. Headnotes, marginal notes and headings form no part of the enactment, but shall be construed as being inserted for convenience of reference only.

Severability

20. If any provision of this By-law is found invalid, such provision is severable.

Offence and Penalties

21. Every person who offends against or violates any of the provisions of this By-law or who suffers or permits anything to be done in contravention or violation of any of the provisions of this By-law, or who neglects to do, or refrains from doing anything required to be done by any of the provisions of this By-law, is guilty of an infraction of this By-law and is liable upon summary conviction to a fine of not more than \$1,000.00 or imprisonment for a term not exceeding thirty days, or both; and

This By-law known as the Tsleil Waututh Nation Regulation of Meetings By-law 2002 is hereby enacted at a duly convened meeting of the Council of the Band held this _____ day of _____, 2002.

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

Chief Sean O'Connell
(Member of Band Council)

Gerald D. Thomas
(Member of Band Council)

Francis George
(Member of Band Council)

(Member of Band Council)

being the majority of those members of the Council of the Tsleil Waututh Nation present at the aforesaid meeting of the Band Council.

The quorum of the Band Council is three (3) members.

Number of members of the Band Council present at the meeting: 3

I, Sean O'Connell Chief/Councillor of the Tsleil Waututh Nation, do hereby certify that a true copy of the foregoing By-law was mailed to the Minister of Indian Affairs and Northern Development at the District offices at 600 - 1138 Melville Street, Vancouver, British Columbia, V6E 4S3 in accordance to section 82 (1) of the *Indian Act*, this 5th day of December, 2002.