



# Sheshatshiu Innu First Nation

## Band Council By-Law

### BY-LAW NO. 2018-1

#### OF THE SHESHATSHIU INNU FIRST NATION BAND COUNCIL

#### A BY-LAW RESPECTING VIDEO LOTTERY TERMINALS AND OTHER GAMING ON RESERVE

WHEREAS the Reserve is the home of Sheshatshiu Innu First Nation and has been set aside for the First Nation's use and benefit;

AND WHEREAS the Council of Sheshatshiu Innu First Nation has deemed it expedient and necessary for the observance of law, and for the benefit, comfort and safety of its members to regulate persons who are able to conduct lottery schemes on reserve and the location of lottery schemes;

AND WHEREAS the Council has the authority to make by-laws regarding the observance of law and order and the prevention of disorderly conduct and nuisances pursuant to sections 81(1)(c) and (d) of the *Indian Act*;

AND WHEREAS section 81 of the *Indian Act* makes violation of a by-law punishable by a fine or imprisonment, or both;

AND WHEREAS the Council of Sheshatshiu Innu First Nation wishes to enact this By-law to operate concurrently with the provincial *Lotteries Act*, and to regulate lottery scheme operation on Reserve;

NOW THEREFORE, it is hereby enacted pursuant to section 81(1) of the *Indian Act*:

#### Short Title

This By-Law may be cited as the *Sheshatshiu Innu First Nation Lottery and Temporary VLT By-Law*.

#### ***Interpretation***

In this By-Law:

"Band" means Sheshatshiu Innu First Nation, as represented by its duly elected Chief and Council;

"Charitable or religious object or purpose" means and object or purpose for (i) the relief of poverty; (ii) the advancement of education; (iii) the advancement of religion, or (iv) other purposes beneficial to the community, where the community means the First Nation.



“Community” means the adult membership of Sheshatshiu Innu First Nation, regardless of whether such individuals are registered as Indians under the *Indian Act*.

"Council" means the Chief and Council of the Sheshatshiu Innu First Nation;

“First Nation” means as represented by its duly elected Chief and Council;

“Lotteries Act” means the *Lotteries Act*, SNL 1991, c. 53, and includes the regulations promulgated by the Province of Newfoundland and Labrador in accordance with the *Lotteries Act*.

“Lottery scheme” has the same meaning as contemplated in the *Lotteries Act*, and for greater certainty includes operation of a Video Lottery Terminal (“VLT”), a bingo, hockey blocks, Find the Joker, 50-50 Draw Tickets, and any other game where a wager is left up to a random occurrence.

“Lottery licence” means a licence granted by the Province of Newfoundland and Labrador to operate a lottery scheme.

"Officer" or "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 Council for the purpose of maintaining law and order on the Reserve;

"RCMP" means the Royal Canadian Mounted Police;

"Reserve" means the reserve of the Sheshatshiu Innu First Nation set apart for the use and benefit of Sheshatshiu Innu First Nation and known as Sheshatshiu Indian Reserve Number 3;

“Permitted Lottery Operator” means a person or corporation who is permitted to operate a lottery scheme on reserve in accordance with the terms of this By-Law.

#### Video Lottery Terminals on Reserve

1. No person shall operate Video Lottery Terminals (Also known as VLT's) on the reserve from the date of this By-Law until this By-Law is repealed, replaced, or amended.
2. Upon direction from the community, Chief and Council may choose to hold referendum on the matter of VLTs and, if directed by the community, on the matter other gaming on reserve.

#### Offence

3. A person who fails or refuses to comply with this By-Law commits an offence.
4. A person who commits an offence under section 5 is liable on summary conviction to a fine not exceeding \$1,000 or to imprisonment for a term not exceeding thirty (30) days, or to both.



5. 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.

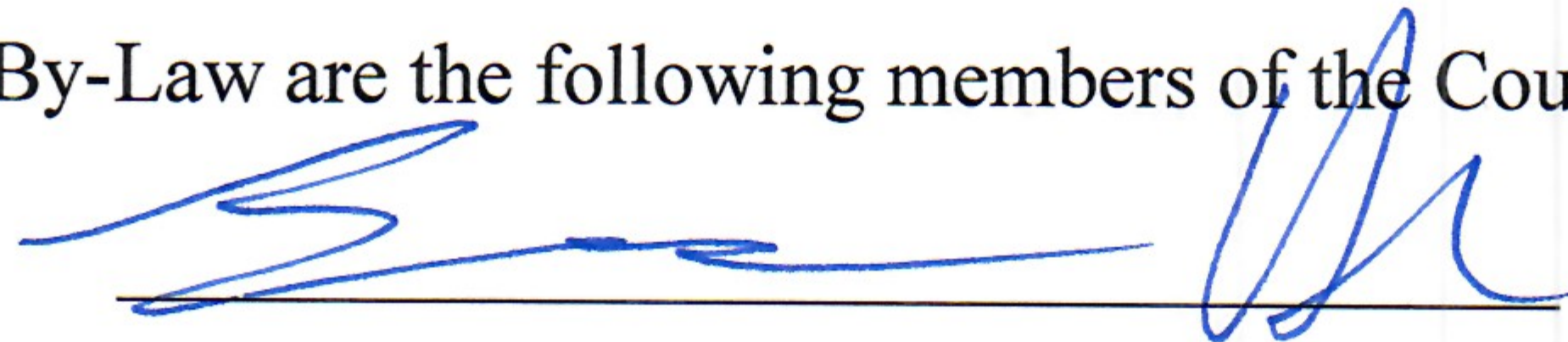
Enforcement

6. RCMP officers and other officers are hereby authorized to enforce this By-Law using such reasonable measures as are necessary.

7. Violation of this By-Law may result in cause for removal under the Sheshatshiu Innu First Nation Trespass By-law.

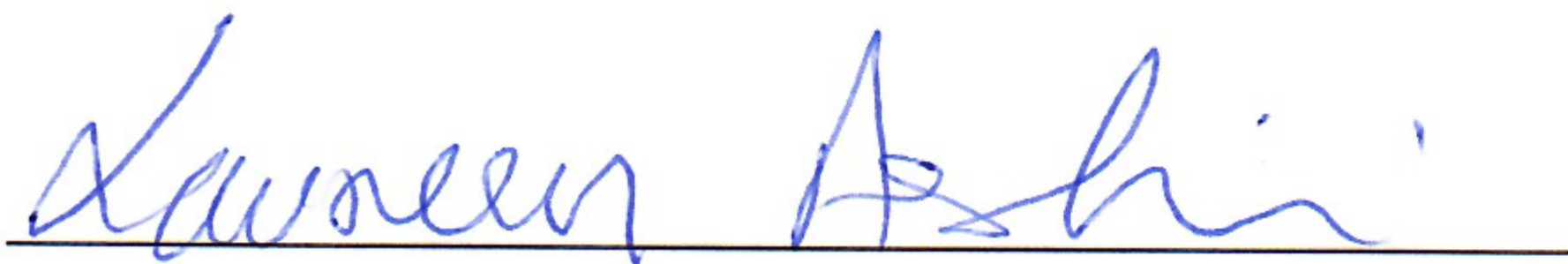
**THIS BY-LAW IS HEREBY** made at a duly convened meeting of the Council of the Sheshatshiu Innu First Nation this 9 day of March, 2018.

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



Chief

\_\_\_\_\_  
Councillor

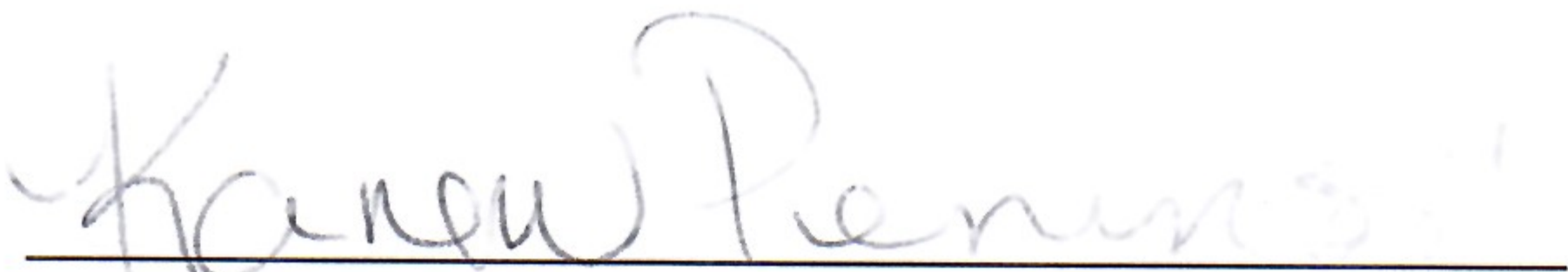


Councillor

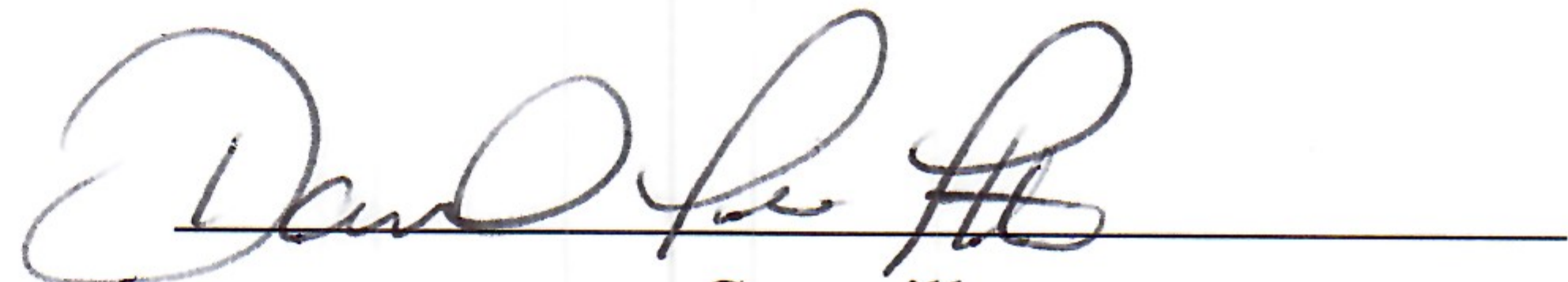
\_\_\_\_\_  
Councillor



Councillor



Councillor

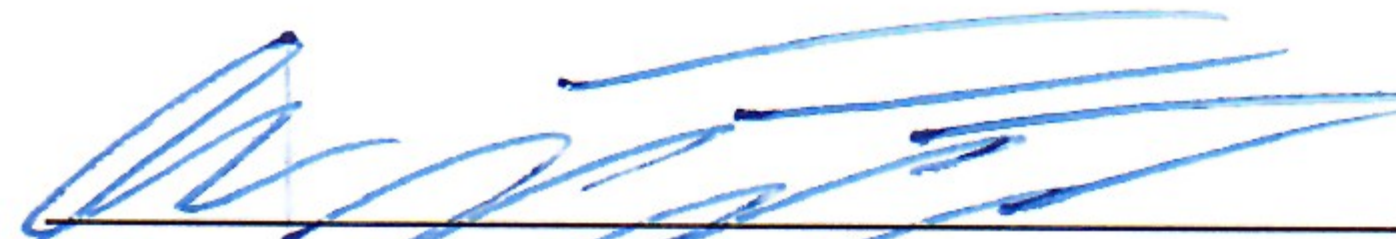
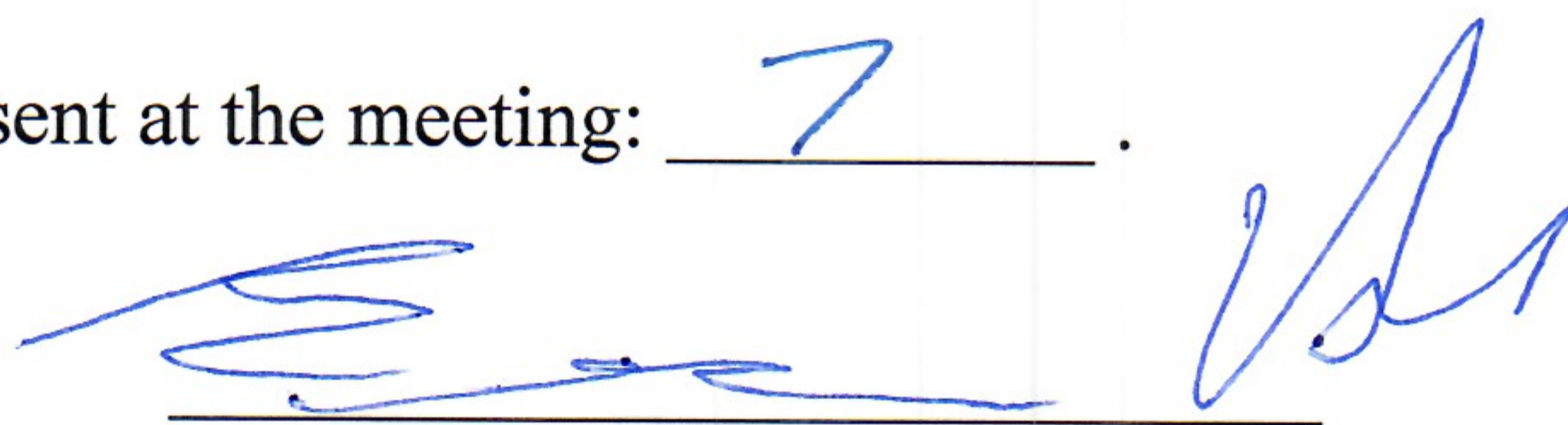


Councillor

being the majority of those members of the Council of the Sheshatshiu Innu First Nation present at the aforesaid meeting of the Council.

The quorum of the Council is 4 members.

Number of members of the Council present at the meeting: 7.

  
(Witness)  
(Chief/Councillor)



