

PIMICIKAMAK CREE NATION LAW
Pimicikamak Okimawin Onasowewin

The First Written Law
OFFICE CONSOLIDATION

This law is made by Pimicikamak Cree Nation:

Whereas the Creator gave Pimicikamak Cree Nation responsibility to govern itself, its lands, its people and its traditional resources;

And Whereas Pimicikamak Cree Nation exercised this responsibility from a time beyond the memory of mankind, and never surrendered it;

And Whereas Pimicikamak Cree Nation may make Laws for the peace, welfare and good government of its lands, its people, and its traditional resources in accordance with its culture, customs, traditions, beliefs, and Treaty relationships;

And Whereas Pimicikamak Cree Nation wishes to make Laws henceforth in writing so that all persons may know them;

And Whereas Pimicikamak Cree Nation seeks to ensure that its Laws are in harmony with the Constitution of Canada;

And Whereas Pimicikamak Cree Nation governs with approval of the Elders and acceptance of the membership;

Therefore Pimicikamak Cree Nation, with approval of the Council of Elders and acceptance of the membership, makes this Law:

Name

1. This Law shall be known as The First Written Law.

Laws may be made in writing

2. Pimicikamak Cree Nation may make Laws in writing in the manner provided in this Law.

Proposing laws

3. A Law may be proposed by resolution of Chief and Council at a Council meeting.

4. A Law may be proposed by resolution of a quorum including the Chief, at a meeting of Chief and Council, and endorsed in writing by other members of that Council.

5. A resolution to propose a Law requires the assent of the Chief and of all but not more than two members of the Council.

Steps required to make laws

6. In order to become a Law, a proposed law must be first approved by the Council of Elders, then accepted by the membership, and then adopted by Chief and Council.

Opinion

7. Before submitting a proposed law to the Council of Elders for approval, Chief and Council shall obtain, and the Secretary to the Council shall make available to any member upon request, the written opinion of counsel as to the harmony of the proposed law with the Constitution of Canada.

Approval

8. Notice shall be given by community radio or community television at least three days before a meeting of the Council of Elders to consider approving a proposed law, and the meeting may be adjourned one or more times without giving further notice.

9. The Council of Elders may approve or disapprove a proposed law, or return it to Chief and Council with a recommendation that it be amended.

10. After amendment a proposed law shall be submitted again to the Council of Elders for approval.

11. The Council of Elders may decide by traditional consensus or in any other manner which the Council of Elders may determine from time to time.

12. The Secretary to the Council, or a person authorized in writing by the Secretary to the Council, shall attend and certify in writing the approval, disapproval or recommended amendment of a proposed law.

Consultation

13. Chief and Council shall refer a proposed law to the Youth Council to obtain its views and comments.

14. Chief and Council may in its discretion refer a proposed law to any other person or group to obtain their views and comments.

Acceptance

15. A proposed law which has been approved by the Council of Elders may be accepted by the membership at a general assembly, where notice has been given to the membership by community radio or community television of the time and place of the assembly, and the subject matter of the proposed law, and the assembly may be adjourned one or more times without giving further notice.

16. A general assembly may accept or reject, but may not amend, a proposed law.

17. A general assembly may accept or reject a proposed law by traditional consensus or in any other manner which the membership may determine at a general assembly from time to time.

18. The Secretary to the Council or a person authorized in writing by the Secretary to the Council shall attend the general assembly to certify in writing the acceptance or rejection of a proposed law.

Adoption

19. A proposed law which has been approved by the Council of Elders and accepted by the membership may be adopted by resolution of Chief and Council through traditional consensus at a Council meeting, or by a clear majority of the full number of Chief and Council.

20. A resolution to adopt a proposed law may be moved only with the consent, in person or in writing, of the Chief.

21. The Secretary to the Council or a person authorized in writing by the Secretary to the Council shall attend the Council meeting to certify the adoption of a proposed law.

Open general assemblies

22. Every general assembly of the membership, at which a proposed law is considered for acceptance, shall be open to full participation by all members of Pimicikamak Cree Nation.

Certifying decisions

23. The Secretary to the Council or a person with written authority of the Secretary to the Council to attend any meeting or general assembly at which a law is proposed, approved, accepted or adopted, shall certify the decision on two official copies of the proposed law.

24. Chief and Council may, by regulation, approve a form for recording and certifying the proceedings of meetings or general assemblies at which a proposed law is considered.

Certifying laws

25. When a proposed law has been proposed, approved, accepted and adopted, the Secretary to the Council shall certify the Law by signing, and by affixing the Seal of Pimicikamak Cree Nation to, each official copy.

Regulations

26. Chief and Council may make regulations required by Laws.

27. A regulation must be expressly authorized by a Law and be consistent with that Law.

28. A regulation may be proposed in the same manner as a Law.

29. A proposed regulation shall be posted for three full days in a public place designated for this purpose by Chief and Council and shall then be considered at a general assembly.

30. After posting in a public place and consideration at a general assembly Chief and Council may adopt a proposed regulation as proposed, or may propose an amended regulation.

31. Chief and Council may by resolution adopt a proposed regulation through traditional consensus at a Council meeting, or with a clear majority of the full number of Chief and Council.

32. A resolution to adopt a proposed regulation may be moved only with the consent, in person or in writing, of the Chief.

33. The Secretary to the Council or a person designated by the Secretary to the Council shall attend the Council meeting to certify the adoption of a proposed resolution.

Effective Dates

34. A Law becomes effective after the Seal of Pimicikamak Cree Nation has been affixed by the Secretary to the Council and a certified copy of the Law has been posted for three full days in a public place designated for this purpose by Chief and Council, unless the Law provides that it becomes effective at a later date.

35. A regulation becomes effective after it has been duly sealed by the Secretary to the Council and a certified copy of it has been posted for ten full days in a public place designated for this purpose by Chief and Council, unless the regulation provides that it becomes effective at a later date.

Non-residents subject to laws

36. A person who is not ordinarily resident on the reserve lands of Pimicikamak Cree Nation is bound by a Law or regulation of Pimicikamak Cree Nation only after that person has received actual notice of the Law and has had reasonable opportunity to comply with it.

Rights and Freedoms

37. Unless otherwise declared by Law, the Canadian Charter of Rights and Freedoms applies to every Law of Pimicikamak Cree Nation.

38. No Law of Pimicikamak Cree Nation shall take the property of any person without compensation.

39. No Law may take away the right of a person to reside permanently on reserve lands of Pimicikamak Cree Nation who has been granted that right by any Law of Pimicikamak Cree Nation.

Custody of laws

40. The Secretary to the Council shall be responsible for keeping the two official copies of each Law or proposed law at two separate and

secure locations as authorized by resolution of Chief and Council from time to time.

Certified copies of laws

41. The Secretary to the Council shall, upon request and payment of the prescribed fee, provide a certified copy, under Seal, of any law or regulation.

42. Chief and Council may, by regulation, prescribe a fee to be charged for each certified copy of a Law or regulation, and the fee shall be collected by the Secretary to the Council and paid into the general revenue account of Pimicikamak Cree Nation.

43. An uncertified copy of a Law or regulation may be provided without fee by the Secretary to the Council upon request of a member of Pimicikamak Cree Nation.

Validity of laws

44. A Law or regulation shall be valid notwithstanding a technical defect in complying with this Law.

45. No Law or regulation shall be enforced against any person to their prejudice through any defect in complying with this Law.

Translation of laws

46. The Secretary to the Council shall upon request of the Council of Elders cause a Law or regulation to be translated into Cree syllabics and the Council of Elders may approve the translation.

47. A copy of a translated Law or regulation may be provided without fee by the Secretary to the Council upon request of a member of Pimicikamak Cree Nation.

Amending laws and regulations

48. A Law may be amended only by Law made in accordance with this Law.

49. A regulation may be amended by Law or by regulation made in accordance with this Law.

Took effect: 29 May, 1996.

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