

Comes into force October 21, 2009

Muskoday First Nation



#99

Land Law Number One of 2009

General Penalty Law

WHEREAS the Muskoday First Nation has taken control of its reserve lands and resources pursuant to the *Framework Agreement on First Nation Land Management*, and has enacted the *Muskoday First Nation Land Management Code* which came into force and effect on January 1, 2000 and amended on March 17, 2007;

AND WHEREAS under the jurisdiction of the *Muskoday First Nation Land Code*, the Chief and Council of the First Nation may enact laws respecting the development and management of its lands and the interests and licenses in relation to those lands;

THEREFORE, the Chief and Council of the Muskoday First Nation do hereby enact the following Land Law;

The title of this enactment is the

General Penalty Land Law

Interpretation

In this law, the following definitions apply:

"Council" means the Chief and Council of the Muskoday First Nation.

"Crown Corporation" means any publicly owned utility company and any subsidiary companies thereof owned by the Government of Saskatchewan, including SaskEnergy, SaskPower and SaskTel.

"Lands" means the Muskoday First Nation lands as identified in the Muskoday First Nation Land Code and any other lands identified through the acquisition of any land claim, be it Treaty Land Entitlement or Specific Claim.

"Land Code" means the *Muskoday First Nation Land Management Code*.

"Land User" means a permittee, lessee, and any person, company or corporation who has a right to agricultural and non-agricultural use of First Nations lands under the authority of a resolution of the Muskoday First Nation.

Regulations

1. Chief and Council may, by Land Resolution, grant permits, licenses and right-of-way agreements in Community lands.
2. Any land user who fails to comply with the terms and conditions of an authorized permit, lease or license is subject to any of the following penalties:

- a) Cancellation of the permit, license or lease under which the terms and conditions are breached;
- b) Cancellation of all permits, leases or licenses signed by the permit/lease holder;
- c) A summary conviction and a fine of not more than **One thousand (\$1,000.00) dollars** for an individual, corporation or company or to imprisonment for a term not exceeding thirty (30) days, or both.
- d) All of the above.

3. Upon coming into force, this law will retroactively affect all active permits, leases and licenses signed as of January 1, 2000.

Appeal against Land law

An occupant of land affected by this law passed may appeal against the law to the First Nation after giving notice to the Land Manager that there is an appeal. Every notice of appeal is to be in writing, to set out the name and address of the appellant, a description of the law, the location of the land affected and the ground of the appeal and to be mailed to the Land Manager within 15 days from the date of receipt.

Any dispute resolution pertaining to this Land Law will be done under Section 30 of the *Muskoday First Nation Land Code*.

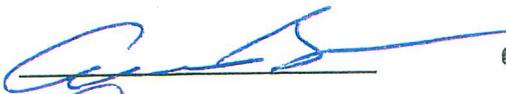
Amendment

This Land law may be comprehensively reviewed and amended from time to time.

This land law is hereby passed at a duly convened meeting of the Council of the Muskoday First Nation, this 18th of Sept, 2009

of Councilors present 5 (4 Council members constitutes a quorum)

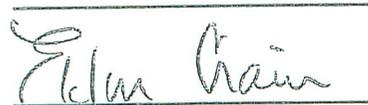
Voting in favor of this Land law are the following members of the Council:



Chief Austin Bear



Councilor Eric Bear



Councilor Herman Crain

Councilor Eldon Crain

BB Brass

Councilor Barry Brass

Ed Vandale

Councilor Ed Vandale