

Title

KAHNAWÁ:KE CONSERVATION LAW

K.R.L. c. C-2

[Enacted by Town By-Law # 14/1983-84 on 31 Kentenha/October 1983]

[Amended by MCR #20/2000-2001]

[Amended by MCR #17/2001-2002]

Preamble

WHEREAS the present Law repeals and replaces all existing Laws, Resolutions, Rules or Regulations on the subject matter and supersedes same where inconsistent with this Law; and,

SECTION I

"Creation of Office & Officer"

1. CREATION OF OFFICE AND OFFICER

1.1 The Mohawk Council of Kahnawá:ke hereby creates the position and office of Conservation Officer.

"Authority & Functions"

2. AUTHORITY AND FUNCTIONS

2.1 The powers and duties of the Conservation Officer shall be to:

- (a) Enforce the Laws, Rules and Regulations adopted by the Mohawk Council of Kahnawá:ke concerning the preservation, protection and management of fur-bearing animals, fish and other game on the Territory of Kahnawá:ke and Doncaster set aside for the Mohawk Community of Kahnawá:ke and over which it has jurisdiction;
- (b) Institute proceedings and enforce Laws, Rules and Regulations of the Mohawk Council of Kahnawá:ke in the case of persons trespassing upon the Mohawk Territory of Kahnawá:ke and Doncaster or frequenting the Mohawk Territory of Kahnawá:ke and Doncaster for prescribed purposes;
- (c) Investigate complaints concerning violations of any Law, Rule or Regulation of the Mohawk Council of Kahnawá:ke concerning conservation and/or the environment; and
- (d) Institute proceedings and enforce violations of any Law, Rule or Regulation concerning conservation and/or the environment upon the Mohawk Territory of Kahnawá:ke and Doncaster.

- (e) Remove from the Mohawk Territory of Kahnawá:ke or the Mohawk Territory of Doncaster any person charged with or suspected of committing an offence against the environment or against fur-bearing animals, fish and other game who is not a Member of the Mohawks of Kahnawá:ke) according to the membership code then in force;

2.2 The Conservation Officer's duties and powers shall be considered to be public duties and powers for all legal purposes.

"Appointment"

3. **APPOINTMENT**

3.1 No one can act as a Conservation Officer until sworn in by a Justice of the Peace upon recommendation by the Mohawk Council of Kahnawá:ke by Resolution duly passed.

3.2 Appointment as a Conservation Officer can be revoked upon Resolution by the Mohawk Council of Kahnawá:ke.

3.3 Criteria for eligibility for the position of Conservation Officer are as follows:

- (a) Must be a Kahnawá:ke Community Member, as determined by the Kahnawá:ke Community Members;
- (b) Must be in satisfactory physical and mental health, verified by a medical certificate;
- (c) Must have a good level of education;
- (d) Must have a driver's permit or willing to acquire same;
- (e) Must not have a criminal record;
- (f) Must be at least twenty-one (21) years of age;
- (g) Must be available and willing to undertake training; and
- (h) Must have para-medical training or be willing to undertake same.

SECTION II

"History"

4. **HISTORY**

4.1 Origin Enacted by Town By-Law # 14/1983-84 on 31 Kentenha/October 1983 Amended by MCR #20/2000-2001 and further amended by MCR #17/2001-2002. Date of Revision : Tsothohrkó:wa/January 1, 2008