

MOHAWK COUNCIL OF AKWESASNE

Akwesasne Law Information Guide

Mohawk Council of Akwesasne

Akwesasne Justice Department

8/16/2018

This Akwesasne Law Information Guide was developed to provide an overview of all Akwesasne Laws registered with the Kaiahnehronshera iehiontakwa – Akwesasne Law Registry. For full copies of an Akwesasne Law, contact the Kaiahnehronshera iehiontakwa – Akwesasne Law Registry Registrar located at the Akwesasne Justice Department or view them online at www.akwesasne.ca/lawregistry

Table of Contents

Introduction – Overview of Template..... i

Akwesasne Banishment Law 1

Akwesasne Curfew By-Laws..... 2

Akwesasne Drug Law 3

Akwesasne Election Law 4

Akwesasne Membership Code..... 5

Akwesasne Residency Law..... 6

Akwesasne School Board By-Law 7

Anti-Noise By-Law #8..... 8

All-Terrain Vehicle Law 9

Bingo Ordinance 10

By-Law Regulating the Collection and Disposal of Garbage of St. Regis Reserve 11

By-Law Respecting Conservation Officers 12

By-Law Respecting the Prevention of Disorderly Conduct and Nuisances..... 13

Ethical Conduct Law for the Mohawk Council of Akwesasne 14

By-Law No. 9 Conduct and Activities of Hawkers, Peddlers or others who enter St. Regis Mohawk Reserve..... 15

Interpretation By-Law 16

Intoxicants By-Law..... 17

Itinerant Vendors Law 18

By-Law Governing Band-Owned Private Home for the Aged 19

St. Regis Recreation Minimum By-Law 20

By-Law 10, 10A and 10B Regulation of Traffic 21

By-Law No. 12 Regulations for the Indian Reserve Housing Loan 22

By-Law Respecting Control of Dogs..... 23

By-Law Respecting Peacekeeper Program 24

By-Law Respecting the Sale of Fireworks within the Mohawk Territory of Akwesasne 25

By-Law Respecting the Sale of Tax Exempt Cigarettes and Other Tobacco Products within the Mohawk Territory of Akwesasne..... 26

By-Law Defining the St. Regis Sanitation Incentive Program 27

Small Vessels Act within the Mohawk Territory of Akwesasne 28

By-Law #5 Waterworks System 29

Wildlife Conservation Law.....	30
Iatathróna Roatiantáhtsera ‘Couples Property’ Law.....	31
Akwesasne Tekaiia’torehthà:ke Kaianeréhsera (Akwesasne Court Law)	32
Akwesasne Oién:kwa Kaianeréhsera (Akwesasne Tobacco Law)	33

Introduction – Overview of Template

This Akwesasne Law Information Guide provides an overview of information for all Akwesasne Laws registered with the Kaianehronsehra iehiontakwa – Akwesasne Law Registry. This page provides the template and explanation of the information contained in this guide:

Akwesasne Law Title

Kaianehronsehra iehiontakwa# (Year Registered)-(Law Registered in that Year)

Law Summary:

This section provides a summary description of the Akwesasne Law.

Enactment/Coming Into Force:	<i>This section will list the relevant dates of enactment and coming into force of the Law.</i>
Mohawk Council Resolution:	<i>This section will list the Mohawk Council Resolution that accepted the Law.</i>
Type of Law:	<i>This section will indicate whether the Law is a community law and if it is also a By-Law registered under the Indian Act.</i>
Authority/Governing Body:	<i>This section outlines the names of any entity that has been given authority under this Law to administer that Law.</i>
Composition of Authority/Governing Body:	<i>This section specifies the composition of the Authority/Governing Body if it is specified in the Law.</i>
Charters Applicable to this Law:	<i>This section lists any Charters that are related to the Law.</i>
Akwesasne Law Regulations:	<i>This section lists any Regulations that have been developed related to the Law.</i>
Akwesasne Law Procedures:	<i>This section lists any procedural steps that have been outlined in the Law.</i>
Appeal Mechanisms:	<i>This section lists any appeal mechanisms that are listed in the Law.</i>
Standard Oaths:	<i>This section identifies if there are any standard oaths attached to the Law.</i>
Deviations:	<i>This section notes any irregularities or conflicts between this Law and any other Law.</i>
Enforcement:	<i>This section lists the enforcement body identified within the Law.</i>
Fines:	<i>This section lists any fines that may be assessed under this Law.</i>
Amendments:	<i>This section notes if there are any amendment provisions stated in the Law.</i>

Akwasasne Banishment Law

Kaiahnehronsehra iehiontakwa# 2015-01

Law Summary:

The Akwasasne Banishment Law was enacted to establish banishment procedures consistent with Mohawk Customs. Where a community member refuses to abide by the standards of behavior as set out by the community, that community member will be providing opportunities to change their ways through a warning system. If the community member continues the misbehavior, they may be subject to expulsion from the territory through a Banishment Order or Special Banishment Order. The Akwasasne Banishment Law also contains provisions on rescinding a Banishment Order or Special Banishment Order, and the ability to issue a Visitor's Permit to an individual who has been banished – provided the reason for the visit is for compassionate reasons (i.e. death of a family member).

Enactment/Coming Into Force:	June 3, 1999
Mohawk Council Resolution:	1999/2000-#098
Type of Law:	Akwasasne Community Law – Courtesy copy sent to Department of Indigenous and Northern Affairs Canada on August 13, 1999.
Authority/Governing Body:	Akwasasne Court (s. 5.1); Akwasasne Justice Department (s. 32.1)
Composition of Authority/Governing Body:	None specified.
Charters Applicable to this Law:	Akwasasne Appeal Tribunal Charter
Akwasasne Law Regulations:	None specified or developed.
Akwasasne Law Procedures:	This Law provides procedures on banishment (s. 7 – s. 9), hearing procedures (s. 10 – s. 12) and court procedures on issuing orders (s. 13 – s. 16).
Appeal Mechanisms:	Akwasasne Appeal Tribunal – Decision is final.
Standard Oaths:	None specified.
Deviations:	Akwasasne Court has authority to interpret this Law. Individuals may be charged with trespass if they violate the Banishment Order.
Enforcement:	Akwasasne Mohawk Police Service (s. 6.1 & 23.4)
Fines:	Fine not to exceed \$1,000 (s. 24.2)
Amendments:	Amendment procedures are identified within the Law (s. 33.1-33.10) and requires a voting threshold of a majority of those present at a Special General Meeting to approve the amendment.

Akwasasne Curfew By-Laws

Kaiahnehronsehra iehiontakwa# 2015-02

Law Summary:

By-Law No. 2

The first Akwasasne Law was enacted in 1959 and provided curfew restrictions for younger persons age 16 and under. The amended version, By-Law No. 2, is registered with the Department of Indian and Northern Affairs Canada with an increased fine from \$5.00 to \$10.00.

By-Law No. 16

This law provides restriction on persons age 16 and under from being in public places on Akwasasne Lands after 10:00pm without adult supervision. Should a young person be found to be in violation of this law, their parent or guardian is liable for a fine or imprisonment.

Emergency Curfew By-Law

This law raises the age restriction of young person to be 18 and under, and restricts them from being away from their dwelling house or usual place of abode during the hours of 11:00pm until 5:00am daily. This law contains a list of exceptions, which includes if a young person is traveling home from a school function that ends after 11:00pm. There is a tiered system for offenses and possible remedies, including fines that may be assessed on the parent or guardian.

Enactment/Coming Into Force:	By-Law No. 16 – January 8, 1973 Emergency Curfew By-Law – Oct. 21, 2003
Mohawk Council Resolution:	By-Law No. 16 – BCR #1372 Emergency Curfew By-Law – 2003/2004-#233
Type of Law:	Akwasasne Community Law – Department of Indian and Northern Affairs Canada allowed By-Law No. 2 on September 13, 1971.
Authority/Governing Body:	Police Officers (AMPS); Emergency Curfew By-Law - Akwasasne Child & Family Services
Composition of Authority/Governing Body:	None specified.
Charters Applicable to this Law:	None specified.
Akwasasne Law Regulations:	None specified.
Akwasasne Law Procedures:	Emergency Curfew By-Law – subsection (E) outlines the procedures on offense schedule.
Appeal Mechanisms:	None specified.
Standard Oaths:	None specified.
Deviations:	By-Law No. 2 is listed as a By-Law by INAC, this law was superseded by the Akwasasne Community Law By-Law No. 16.
Enforcement:	Akwasasne Mohawk Police Service
Fines:	By-Law No. 16 - \$10.00 or imprisonment not exceeding 7 days; Emergency Curfew By-Law – \$25.00-\$500.00.
Amendments:	None specified. Follows Akwasasne Legislative Enactment Regulation.

Akwasasne Drug Law

Kaiahnehronsehra iehiontakwa# 2015-03

Law Summary:

The Akwasasne Drug Law was enacted to discourage the usage, possession, cultivation, selling, manufacturing and trading of illicit and/or controlled drugs within Akwasasne, as this behavior is against the spirit and essence of Mohawk traditions and customs. This Law is a means to protect the people of the community, especially the children, from the harmful effects of drugs. It includes a Warning Process that is meant to involve the families and friends to provide the warning and attempt to help the individual change their behavior. If the individual continues the behavior after being warned, then banishment proceedings may begin under the *Akwasasne Banishment Law*.

Enactment/Coming Into Force:	June 3, 1999
Mohawk Council Resolution:	1999/2000-#098
Type of Law:	Akwasasne Community Law – Courtesy copy sent to Department of Indigenous and Northern Affairs Canada on August 13, 1999.
Authority/Governing Body:	Akwasasne Court (s. 7.1); Akwasasne Justice Department
Composition of Authority/Governing Body:	None specified.
Charters Applicable to this Law:	None specified.
Akwasasne Law Regulations:	None specified.
Akwasasne Law Procedures:	Procedures to administer the Law are contained within the Law (s. 10.1-19.1).
Appeal Mechanisms:	None specified.
Standard Oaths:	None specified.
Deviations:	The penalty for continued contravention of this Law may result in banishment proceedings un the <i>Akwasasne Banishment Law</i> (s. 15.5).
Enforcement:	Akwasasne Mohawk Police Service and Akwasasne Court (s. 7.1 & s. 8.1).
Fines:	None specified.
Amendments:	Amendment procedures are identified within the Law (s. 21.1-21.10) and requires a voting threshold of a majority of those present at a Special General Meeting to approve the amendment.

Akwasasne Election Law

Kaiahnehronsehra iehiontakwa# 2015-04

Law Summary:

The Akwasasne Election Law was enacted to provide customary election rules for the Mohawks of Akwasasne. This law determines the composition of the Mohawk Council of Akwasasne, which includes one (1) Grand Chief and twelve (12) District Chiefs representing the following Districts: Kawehno:ke (Cornwall Island), Kana:takon (St. Regis) and Tsi Snaihne (Snye). The Akwasasne Election Law also determines the eligibility of voters for General and Special Elections for the Mohawks of Akwasasne.

Enactment/Coming Into Force:	December 7, 2005
Mohawk Council Resolution:	2005/2006-#196
Type of Law:	Akwasasne Community Law
Authority/Governing Body:	Chief Electoral Officer (s. 4); Akwasasne Election Appeal Board (s. 5).
Composition of Authority/Governing Body:	Chief Electoral Officer – 1 Position (s. 4); Akwasasne Election Appeal Board – 3 Appeal Board Members, 3 Alternate Board Members (s.5).
Charters Applicable to this Law:	None specified.
Akwasasne Law Regulations:	None specified.
Akwasasne Law Procedures:	This law provides the procedures to conduct General Elections for the Mohawk Council of Akwasasne. Akwasasne Election Appeal Board procedural guidelines (Attachment “O”).
Appeal Mechanisms:	Decisions of the Akwasasne Election Appeal Board can be appealed to the Akwasasne Court – Akwasasne Court decisions are final (s. 14).
Standard Oaths:	This law contains Oaths for Akwasasne Election Appeal Board members (Attachment “A”), Oaths for Mohawk Council of Akwasasne members (Attachment “N”).
Deviations:	None identified.
Enforcement:	Akwasasne Mohawk Police Service (s. 11.23); Akwasasne Court (s. 11.24).
Fines:	Not to exceed \$1,000.00 (s. 19.1)
Amendments:	Amendment procedures are identified within the Law (s. 18) and requires a voting threshold of a majority of those present at a Special General Meeting to approve the amendment.

Akwasasne Membership Code

Kaiahnehronsehra iehiontakwa# 2015-05

Code Summary:

This Code provides customary rules for determining Membership for the Mohawks of Akwasasne. It establishes authority for the Akwasasne Membership Board to make determination on Membership applications and Residency applications. The Akwasasne Membership Code determines the qualifications for Membership and rights that Members hold. This Code also provides an avenue for loss of Membership rights.

Enactment/Coming Into Force:	June 26, 1987
Mohawk Council Resolution:	1987/1988-#144
Type of Law:	Akwasasne Community Law and Indian Act Custom Membership Law.
Authority/Governing Body:	Akwasasne Membership Board; Council of Elders.
Composition of Authority/Governing Body:	Akwasasne Membership Board (7) – 1 Chairperson, 2 Board members from each District; Council of Elders (3) – 3 Elders selected based on experience.
Charters Applicable to this Law:	Akwasasne Membership Board Charter.
Akwasasne Law Regulations:	Akwasasne Membership Board Regulation.
Akwasasne Law Procedures:	This law provides procedures on applications for Membership (s. 9-11).
Appeal Mechanisms:	Decisions of the Akwasasne Membership Board are appealed to the Council of Elders.
Standard Oaths:	None specified.
Deviations:	Amendment procedure is different than other Laws.
Enforcement:	None specified in the Law.
Fines:	None specified in the Law.
Amendments:	Community vote to amend the Code, with twenty-five (25) percent eligible voter participation in the vote.

Akwasasne Residency Law

Kaiahnehronsehra iehiontakwa# 2015-06

Law Summary:

The Akwasasne Residency Law represents one of the measures adopted by the community and the Mohawk Council of Akwasasne to control the residency of non-Members within Akwasasne Lands to preserve its culture, traditions and values. The community wishes that only those who are registered Members of Akwasasne shall have the right to reside permanent on Akwasasne Lands. However, the community is prepared to extend the privilege of temporary residency to non-Members, under certain conditions. This Law governs such privilege.

Enactment/Coming Into Force:	May 22, 1997
Mohawk Council Resolution:	1997/1998-#060
Type of Law:	Akwasasne Community Law – Courtesy copy sent to Department of Indigenous and Northern Affairs Canada.
Authority/Governing Body:	Akwasasne Membership Board
Composition of Authority/Governing Body:	Akwasasne Membership Board (7) – 1 Chairperson, 2 Board members from each District.
Charters Applicable to this Law:	Akwasasne Membership Board Charter.
Akwasasne Law Regulations:	Akwasasne Residency Permit Regulation; and Akwasasne Occupancy License Regulation.
Akwasasne Law Procedures:	This provides procedures on issuing Residency Permits (s. 12-24), authorizing leases (s. 25-30), & issuing Occupancy Licenses (s. 31-51).
Appeal Mechanisms:	Decisions of the Akwasasne Membership Board are appealed to the Council of Elders.
Standard Oaths:	None specified.
Deviations:	Provisions outlined in the Akwasasne Membership Code Part Three: Residency supersedes this Law.
Enforcement:	Akwasasne Mohawk Police Service (s. 21[c] & [e]; s. 40 [c] & [e]; s. 45; & s. 48); Akwasasne Court (s. 46).
Fines:	Not to exceed five thousand (\$5,000); imprisonment for not more than ninety (90) days; community service not more than 500 hours; and/or order of expulsion. (s. 47 a.)
Amendments:	Amendment procedures are identified within the Law (s. 50 & s. 51) and requires a voting threshold of a majority approval of those present at a Special General Meeting.

Akwesasne School Board By-Law

Kaiahnehronsehra iehiontakwa# 2015-07

This law is not presently in force on Akwesasne Lands – this was intended to be a school board by-law and not an Akwesasne Law. There is still reference within this guide, as it had been listed in error since 1985.

Law Summary:

This is the by-laws for the Akwesasne School Board and provides the Board with the authority to administer and take local control of education. These by-laws set out the administrative responsibilities for the Akwesasne School Board, now known as the Ahkwesasne Mohawk Board of Education trustees.

Enactment/Coming Into Force:	Not in force as a Community Law
Mohawk Council Resolution:	Not in force as a Community Law
Type of Law:	Not in force as a Community Law
Authority/Governing Body:	Not in force as a Community Law
Composition of Authority/Governing Body:	Not in force as a Community Law
Charters Applicable to this Law:	Not in force as a Community Law
Akwesasne Law Regulations:	Not in force as a Community Law
Akwesasne Law Procedures:	Not in force as a Community Law
Appeal Mechanisms:	Not in force as a Community Law
Standard Oaths:	Not in force as a Community Law
Deviations:	Not in force as a Community Law
Enforcement:	Not in force as a Community Law
Fines:	Not in force as a Community Law
Amendments:	Not in force as a Community Law

Anti-Noise By-Law #8

Kaiahnehronsehra iehiontakwa# 2015-08

Law Summary:

The Anti-Noise By-Law #8 prohibits all persons on Akwesasne Lands from making unreasonably loud noises from 9:00pm until 8:00am the following morning. This includes individuals operating snowmobiles and motor vehicles within the districts.

Enactment/Coming Into Force:	October 15, 1971 Registered as an Indian Act By-Law on November 23, 1971
Mohawk Council Resolution:	1971/1972-#008
Type of Law:	Akwesasne Community Law and Indian Act By-Law.
Authority/Governing Body:	None specified.
Composition of Authority/Governing Body:	None specified.
Charters Applicable to this Law:	None specified.
Akwesasne Law Regulations:	None specified.
Akwesasne Law Procedures:	None specified.
Appeal Mechanisms:	None specified. Follows Akwesasne Court Appeal Process.
Standard Oaths:	None specified.
Deviations:	None identified.
Enforcement:	None specified.
Fines:	Fine not exceeding One Hundred Dollars (\$100) or imprisonment for a term not exceeding thirty days; or both.
Amendments:	None specified. Follows Akwesasne Legislative Enactment Regulation.

All-Terrain Vehicle Law

Kaiahnehronsehra iehiontakwa# 2015-09

Law Summary:

The All-Terrain Vehicle Law provides for the regulation of all-terrain vehicle use on Akwesasne Lands. Previously to this law taking effect, accidents and occurrences caused by the absence of law for the use of all-terrain vehicles created immediate concern amongst community residents for the health and safety of young children. The Mohawk Council of Akwesasne (MCA) felt that the indiscriminate use of all-terrain vehicles is contrary to the welfare of community members and other persons on the Mohawk Territory, and that it is in the best interest to regulate such activities. This law provides guidelines requiring all-terrain vehicles to be registered with the MCA and agree to operate in accordance with the provisions of this Law.

Enactment/Coming Into Force:	November 27, 1993
Mohawk Council Resolution:	1993/1994-#275
Type of Law:	Akwesasne Community Law and Indian Act By-Law.
Authority/Governing Body:	Unnamed ‘Appropriate Authority’ as appointed by Mohawk Council of Akwesasne (s. 4.1, s. 4.3 & s. 4.6).
Composition of Authority/Governing Body:	None specified.
Charters Applicable to this Law:	None specified.
Akwesasne Law Regulations:	None specified.
Akwesasne Law Procedures:	None specified.
Appeal Mechanisms:	None specified. Follows Akwesasne Court Appeal Process.
Standard Oaths:	None specified.
Deviations:	If a person under sixteen (16) years of age is found in violation of this law, the owner of the all-terrain vehicle will be charged with the violation.
Enforcement:	Akwesasne Mohawk Police Service (s. 4.8 & s. 6)
Fines:	s. 4.6 Making False Statements – Fine not exceeding One Thousand Dollars (\$1,000) or imprisonment for a term not exceeding thirty days; or both. s. 5.3 & s. 5.4 No Insurance – Fine not exceeding One Thousand Dollars (\$1,000). s. 8.1 General Violation of this Law – Fine not exceeding One Thousand Dollars (\$1,000) or imprisonment for a term not exceeding thirty days; or both.
Amendments:	None specified. Follows Akwesasne Legislative Enactment Regulation.

Bingo Ordinance

Kaiahnehronsehra iehiontakwa# 2015-10

Law Summary:

The Bingo Ordinance is an Akwesasne Law that provides for the regulation of bingo games on Akwesasne Lands. This Law indicates that the Mohawk Council of Akwesasne (MCA) is the only agency that can operate a bingo game and the proceeds of the operation must go towards programs that promote the health, education and general welfare of the Mohawks of Akwesasne. The MCA is the employer for the staff responsible to run the bingo games, and there is a general age restriction that only those eighteen (18) years of age and older can play.

Enactment/Coming Into Force:	April 14, 1984
Mohawk Council Resolution:	Band Council Resolution #7671
Type of Law:	Akwesasne Community Law
Authority/Governing Body:	None specified.
Composition of Authority/Governing Body:	None specified.
Charters Applicable to this Law:	None specified.
Akwesasne Law Regulations:	None specified.
Akwesasne Law Procedures:	This Law contains procedures on how to conduct a bingo.
Appeal Mechanisms:	None specified. Follows Akwesasne Court Appeal Process.
Standard Oaths:	None specified.
Deviations:	None identified.
Enforcement:	None specified.
Fines:	s. 4 Penalties – Fine not to exceed Five Hundred Dollars (\$500) for each violation, or for each day a violation has occurred.
Amendments:	Amendment provisions are identified under ‘Section V’.

By-Law Regulating the Collection and Disposal of Garbage of St. Regis Reserve

Kaiahnehronsehra iehiontakwa# 2015-11

Law Summary:

The By-Law Regulating the Collection and Disposal of Garbage of St. Regis Reserve provides general guidelines for garbage disposal on Akwesasne Lands, prohibiting persons from collecting garbage that could be hazardous to the health of the general public. It requires that garbage containers have mechanisms to secure them from animals and that bags not exceed fifty (50) pounds in weight. Any items larger than fifty (50) pounds are the responsibility of the occupant of the household attempting to dispose of the item or items. This Law also provides authority for the Mohawk Council of Akwesasne to appointment a Garbage Collector to oversee a garbage dump.

Enactment/Coming Into Force:	January 8, 1973
Mohawk Council Resolution:	Band Council Resolution #1370
Type of Law:	Akwesasne Community Law.
Authority/Governing Body:	Garbage Collector (s. 8)
Composition of Authority/Governing Body:	None specified.
Charters Applicable to this Law:	None specified.
Akwesasne Law Regulations:	None specified.
Akwesasne Law Procedures:	None specified.
Appeal Mechanisms:	None specified. Follows Akwesasne Court Appeal Process.
Standard Oaths:	None specified.
Deviations:	This law provides for the ability to burn garbage under certain conditions.
Enforcement:	None specified.
Fines:	s. 10 Dumping Garbage Violation – Fine not exceeding Ten Dollars (\$10) or imprisonment for a term not exceeding seven (7) days, or both. Persons may also be ordered to cleanup garbage they dumped. s. 12 General Violation of this Law – Fine not exceeding Ten Dollars (\$10) or imprisonment for a term not exceeding seven (7) days, or both.
Amendments:	None specified. Follows Akwesasne Legislative Enactment Regulation.

By-Law Respecting Conservation Officers

Kaiahnehronsehra iehiontakwa# 2015-12

Law Summary:

The By-Law Respecting Conservation Officers delegates authority from the Mohawk Council of Akwesasne to Conservation Officers to enforce laws dealing with conservation, environment and trespassing. This Law creates the position of Conservation Officer and outlines the duties and responsibilities, criteria for appointment, and process to appoint Conservation Officers by the MCA. This Law also prohibits impersonating a Conservation Officer and obstructing a Conservation Officer from carrying out their duties.

Enactment/Coming Into Force:	May 29, 1986
Mohawk Council Resolution:	1986/1987-#140
Type of Law:	Akwesasne Community Law
Authority/Governing Body:	Conservation Officers
Composition of Authority/Governing Body:	None specified.
Charters Applicable to this Law:	None specified.
Akwesasne Law Regulations:	None specified.
Akwesasne Law Procedures:	None specified.
Appeal Mechanisms:	None specified. Follows Akwesasne Court Law Appeal Process.
Standard Oaths:	Conservation Officers are required to be sworn in by a Justice of the Peace. Oath not provided by this Law.
Deviations:	Conservation Officers to enforce Indian Act provisions dealing with conservation, environment and/or trespass.
Enforcement:	Conservation Officers
Fines:	Obstruction – Fine to exceeding One Thousand Dollars (\$1,000) or imprisonment for a term not exceeding thirty (30) days, or both; and court costs.
Amendments:	None specified. Follows Akwesasne Legislative Enactment Regulation.

By-Law Respecting the Prevention of Disorderly Conduct and Nuisances

Kaiahnehronsehra iehiontakwa# 2015-13

Law Summary:

The By-Law Respecting the Prevention of Disorderly Conduct and Nuisances is meant to ensure the peace and tranquility of the Akwesasne community. This Law covers individuals in public places as well as those disturbing private dwellings. It prevents individuals from acting in threatening manners, either physically fighting along with use of obscene or insulting language. This Law also prevents individuals from publishing defamatory libel (e.g. something that is likely to injure the reputation of any person by exposing him to hatred, contempt or ridicule, or that is designed to insult the person of or concerning whom it is published).

Enactment/Coming Into Force:	May 31, 1986
Mohawk Council Resolution:	1986/1987-#148
Type of Law:	Akwesasne Community Law
Authority/Governing Body:	None specified.
Composition of Authority/Governing Body:	None specified.
Charters Applicable to this Law:	None specified.
Akwesasne Law Regulations:	None specified.
Akwesasne Law Procedures:	None specified.
Appeal Mechanisms:	None specified. Follows Akwesasne Court Appeal Process.
Standard Oaths:	None specified.
Deviations:	s. 2(a)(ii) includes persons under the influence of intoxicants.
Enforcement:	None specified.
Fines:	s. 2 Specific Offense – Fine not to exceed One Thousand Dollars (\$1,000) or imprisonment for a term not to exceed thirty (30) days, or both. s. 3 Public Nuisance – Fine not to exceed One Thousand Dollars (\$1,000) or imprisonment for a term not to exceed thirty (30) days, or both. s. 4 Defamatory Libel – Fine not to exceed One Thousand Dollars (\$1,000) or imprisonment for a term not to exceed thirty (30) days, or both.
Amendments:	None specified. Follows Akwesasne Legislative Enactment Regulation.

Ethical Conduct Law for the Mohawk Council of Akwesasne

Kaiahnehronsehra iehiontakwa# 2015-14

Law Summary:

The Ethical Conduct Law for the Mohawk Council of Akwesasne is meant to regulate the members of the Mohawk Council of Akwesasne. This Law provides Council with guidelines as to appropriate standards of conduct as well as guidelines for members of Council, with potential Conflict of Interest or issue of misconduct arises.

Enactment/Coming Into Force:	February 20, 1997
Mohawk Council Resolution:	1996/1997-#466
Type of Law:	Akwesasne Community Law and Indian Act By-Law
Authority/Governing Body:	Akwesasne Court.
Composition of Authority/Governing Body:	None specified.
Charters Applicable to this Law:	Council of Elders.
Akwesasne Law Regulations:	Mohawk Court of Akwesasne Ethical Conduct Law Procedural Regulation.
Akwesasne Law Procedures:	This Law contains provisions outlining procedures for submitting ethical conduct complaints against members of the Mohawk Council of Akwesasne (s. 11).
Appeal Mechanisms:	Decisions of the Akwesasne Court are appealed to the Council of Elders.
Standard Oaths:	None specified.
Deviations:	None identified.
Enforcement:	Akwesasne Mohawk Police Service; Akwesasne Justice Department.
Fines:	s. 14.(2) General Violation – Fine not to exceed One Thousand Dollars (\$1,000) or imprisonment for a term not exceeding thirty (30) days, or both. s. 14(3) Court Orders – Court may order additional remedies pursuant to s. 13(2) a-c, which includes any order that it considers appropriate.
Amendments:	Amendment provisions are identified under ‘Section VII’ and requires a voting threshold of a majority of those present at a Special General Meeting to approve the amendment.

By-Law No. 9 Conduct and Activities of Hawkers, Peddlers or others who enter St. Regis Mohawk Reserve

Kaiahnehronsehra iehiontakwa# 2015-15

Law Summary:

The By-Law No. 9 Conduct and Activities of Hawkers, Peddlers or others who enter St. Regis Mohawk Reserve requires that persons entering Akwesasne Lands obtain consent from the Mohawk Council of Akwesasne prior to traveling door to door to buy, sell or otherwise deal in wares or merchandise.

Enactment/Coming Into Force:	August 5, 1972 Registered as an Indian Act By-Law on October 20, 1972
Mohawk Council Resolution:	Band Council Resolution #1149
Type of Law:	Akwesasne Community Law and Indian Act By-Law
Authority/Governing Body:	Band Administrator or Chief
Composition of Authority/Governing Body:	None specified.
Charters Applicable to this Law:	None specified.
Akwesasne Law Regulations:	None specified.
Akwesasne Law Procedures:	None specified.
Appeal Mechanisms:	None specified. Follows Akwesasne Court Appeal Process.
Standard Oaths:	None specified.
Deviations:	None identified.
Enforcement:	None specified.
Fines:	s. 3 General Violation – Fine not exceeding One Thousand Dollars (\$1,000) or imprisonment for a term not exceeding seven (7) days, or both.
Amendments:	None specified. Follows Akwesasne Legislative Enactment Regulation.

Interpretation By-Law

Kaiahnehronsehra iehiontakwa# 2015-16

This law is not presently in force on Akwesasne Lands – it had begun the three readings process and did not complete the process to be an enacted law. There is still reference within this guide, as it had been listed in error since 1989.

Law Summary:

The Interpretation By-Law provides for standard definitions for eight (8) terms used in Akwesasne Laws (e.g. Akwesasne, Community Member, Land Owner, Mohawk Council, Residence, Resident and Vehicle). This Law also provides for general interpretation provisions that apply to all Akwesasne Laws.

Enactment/Coming Into Force:	Not in force
Mohawk Council Resolution:	Not in force
Type of Law:	Not in force
Authority/Governing Body:	Not in force
Composition of Authority/Governing Body:	Not in force
Charters Applicable to this Law:	Not in force
Akwesasne Law Regulations:	Not in force
Akwesasne Law Procedures:	Not in force
Appeal Mechanisms:	Not in force
Standard Oaths:	Not in force
Deviations:	Not in force
Enforcement:	Not in force
Fines:	Not in force
Amendments:	Not in force

Intoxicants By-Law

Kaiahnehronsehra iehiontakwa# 2015-17

Law Summary:

The Intoxicants By-Law was enacted to prohibit the sale of intoxicants on Akwesasne Lands. It was considered necessary to take special measures for the protection of the Mohawk people of Akwesasne in the sale, use, and consumption of intoxicants. The law sets out specific violations for the sale of intoxicants, possession of intoxicants, and being intoxicated in public spaces.

Enactment/Coming Into Force:	November 30, 1987
Mohawk Council Resolution:	1987/1988-#421
Type of Law:	Akwesasne Community Law and Indian Act By-Law.
Authority/Governing Body:	None specified.
Composition of Authority/Governing Body:	None specified.
Charters Applicable to this Law:	None specified.
Akwesasne Law Regulations:	None specified.
Akwesasne Law Procedures:	None specified.
Appeal Mechanisms:	None specified. Follows Akwesasne Court Law Appeal Process
Standard Oaths:	None specified.
Deviations:	None identified.
Enforcement:	None specified.
Fines:	s. 2 Violation of Sale Prohibition – Fine not to exceed One Thousand Dollars (\$1,000) or imprisonment for a term not to exceed six (6) months, or both. s. 3(1) Violation of Possession Prohibition – Fine not to exceed One Thousand Dollars (\$1,000) or imprisonment for a term not to exceed three (3) months, or both. s. 4(1) Violation of Being Intoxicated – Fine not to exceed One Hundred Dollars (\$100) or imprisonment for a term not to exceed three (3) months, or both.
Amendments:	None specified. Follows Akwesasne Legislative Enactment Regulation.

Itinerant Vendors Law

Kaiahnehronsehra iehiontakwa# 2015-18

Law Summary:

The Itinerant Vendors Law is meant to control and regulate the sale of consumer merchandise by itinerant vendors on Akwesasne Lands. This Law delegates authority to the Mohawk Licensing Commission to review applications and issue Vendors Permits. Vendors are able to obtain one (1) renewal of their permit. If a Vendor is unaware of this Law, the Akwesasne Mohawk Police will first advise them of the requirement to obtain a permit. If the Vendor fails to comply, then they may be charge with a violation of this Law.

Enactment/Coming Into Force:	September 30, 1989
Mohawk Council Resolution:	1989/1990-#341
Type of Law:	Akwesasne Community Law
Authority/Governing Body:	Mohawk Licensing Commission
Composition of Authority/Governing Body:	None specified.
Charters Applicable to this Law:	Mohawk Licensing Commission Charter
Akwesasne Law Regulations:	None specified.
Akwesasne Law Procedures:	None specified.
Appeal Mechanisms:	All decisions on Venders Permits by the Mohawk Licensing Commission are final (s. 11).
Standard Oaths:	None specified.
Deviations:	Conflicts with Hawkers and Peddlers Law with fine schedule.
Enforcement:	Mohawk Licensing Commission (s. 8 & s. 9); Akwesasne Mohawk Police Service (s. 9)
Fines:	s. 10 General Violation – Fine not to exceed One Thousand Dollars (\$1,000) or a term of imprisonment not to exceed thirty (30) days, or both.
Amendments:	None specified. Follows Akwesasne Legislative Enactment Regulation.

By-Law Governing Band-Owned Private Home for the Aged

Kaiahnehronsehra iehiontakwa# 2015-19

Law Summary:

The By-Law Governing Band-Owned Private Home for the Aged sets out provisions to for the Mohawk Council of Akwesasne to operate a facility for elders in the community. This Law provides authority to a Board of Management whose responsibilities are to oversee the operation of the facility. It also sets out authorities for a physician to be hired to oversee the medical care of residents in the home. Admissions criteria sets out procedures for those wishing to reside in the home.

Enactment/Coming Into Force:	January 8, 1973
Mohawk Council Resolution:	Band Council Resolution #1371
Type of Law:	Akwesasne Community Law
Authority/Governing Body:	Board of Management (s. 3)
Composition of Authority/Governing Body:	Council appointed Board of Management, which includes the Band Administrator and/or Welfare Officer.
Charters Applicable to this Law:	No Charter, s. 10 provides rules governing the Board of Management.
Akwesasne Law Regulations:	None specified.
Akwesasne Law Procedures:	This Law contains provisions outlining procedures for admissions procedures (s. 7).
Appeal Mechanisms:	None specified. Follows Akwesasne Court Appeal Process.
Standard Oaths:	None specified.
Deviations:	s. 9.2.5. addresses need provide adequate water supply for situations like fire protection, which has implications for the Waterworks By-Law.
Enforcement:	None specified.
Fines:	None specified.
Amendments:	None specified. Follows Akwesasne Legislative Enactment Regulation.

St. Regis Recreation Minimum By-Law

Kaiahnehronsehra iehiontakwa# 2015-20

Law Summary:

The St. Regis Recreation Minimum By-Law delegates authority from the Mohawk Council of Akwesasne to Community Recreation Committees to manage a community recreation program. This Law determines the composition of the committee and sets limits on their authority. This Law was needed when it was enacted to obtain grant funding through the Ministry of Tourism and Recreation.

Enactment/Coming Into Force:	October 21, 1986
Mohawk Council Resolution:	1986/1987-#464
Type of Law:	Akwesasne Community Law
Authority/Governing Body:	Directors of the Recreation Committees
Composition of Authority/Governing Body:	Directors of the Recreation Committees (9) – appointed by Mohawk Council of Akwesasne: 6 community members, 3 members of the Mohawk Council of Akwesasne.
Charters Applicable to this Law:	None specified.
Akwesasne Law Regulations:	None specified.
Akwesasne Law Procedures:	None specified.
Appeal Mechanisms:	None specified.
Standard Oaths:	None specified.
Deviations:	None identified.
Enforcement:	None specified.
Fines:	None specified.
Amendments:	None specified. Follows Akwesasne Legislative Enactment Regulation.

By-Law 10, 10A and 10B Regulation of Traffic

Kaiahnehronsehra iehiontakwa# 2015-21

Law Summary:

The By-Law 10, 10A and 10B Regulation of Traffic establishes provisions for traffic to operate on Akwesasne Lands, which includes governing unsafe operation of a motor vehicle, parking on roads, and respecting the transportation of children (e.g. buses). This Law was originally enacted as By-Law 10 and was subsequently amended with By-Laws 10(a) and 10(b).

Enactment/Coming Into Force:	February 27, 1973
Mohawk Council Resolution:	Band Council Resolution #1330
Type of Law:	Akwesasne Community Law and Indian Act By-Law
Authority/Governing Body:	None specified.
Composition of Authority/Governing Body:	None specified.
Charters Applicable to this Law:	None specified.
Akwesasne Law Regulations:	None specified.
Akwesasne Law Procedures:	None specified.
Appeal Mechanisms:	None specified. Follows Akwesasne Court Appeal Process.
Standard Oaths:	None specified.
Deviations:	None identified.
Enforcement:	Akwesasne Mohawk Police Service (s. 5)
Fines:	s. 8 Violation of Bus Transportation – Fine on first offence not to exceed Fifty Dollars (\$50), on second offence not to exceed One Hundred Dollars (\$100), and on third and subsequent offence not to exceed One Hundred Dollars (\$100) or imprisonment for a term not to exceed thirty (30) days. s. 9 Unregistered/Unlicensed Operation of a Motor Vehicle – Fine not to exceed Twenty-Five Dollars (\$25) and vehicle will be towed at owners expense. s. 10 General Violation – Fine not to exceed One Hundred Dollars (\$100) or imprisonment for a term not to exceed thirty days, or both.
Amendments:	None specified. Follows Akwesasne Legislative Enactment Regulation.

By-Law No. 12 Regulations for the Indian Reserve Housing Loan

Kaiahnehronsehra iehiontakwa# 2015-22

Law Summary:

The By-Law No. 12 Regulation for the Indian Reserve Housing Loan establishes a Housing Committee to review and approve housing loans for the Mohawk Council of Akwesasne. This Law requires a down payment from the borrower prior to funds being released, and that the land being used to build the home be used as collateral in the event the loan defaults. This Law also provides terms for repayment, and incentives for consistently paying on time or earlier than the payment due date.

Enactment/Coming Into Force:	December 14, 1972
Mohawk Council Resolution:	Band Council Resolution #1360
Type of Law:	Akwesasne Community Law
Authority/Governing Body:	Public Works Superintendent (s. 6); Housing Committee (s. 4)
Composition of Authority/Governing Body:	None specified.
Charters Applicable to this Law:	None specified.
Akwesasne Law Regulations:	None specified.
Akwesasne Law Procedures:	Provides general procedures for administering a housing loan program.
Appeal Mechanisms:	None specified.
Standard Oaths:	None specified.
Deviations:	Uses Central Housing and Mortgage Corporation as the minimum standard for building residential homes.
Enforcement:	None specified.
Fines:	None specified.
Amendments:	None specified. Follow the Akwesasne Legislative Enactment Regulation.

By-Law Respecting Control of Dogs

Kaiahnehronsehra iehiontakwa# 2015-23

Law Summary:

The By-Law Respecting Control of Dogs regulates for the control and destruction of dogs within Akwesasne Lands. It was deemed necessary to provide for the regulation, control and destruction of dogs for the health, safety and welfare of the inhabitants within Akwesasne Lands.

Enactment/Coming Into Force:	June 4, 1988 Registered as an Indian Act By-Law on July 16, 1988
Mohawk Council Resolution:	1988/1989-#134
Type of Law:	Akwesasne Community Law and Indian Act By-Law
Authority/Governing Body:	Animal Control Officer: includes Akwesasne Mohawk Police and Conservation Officer (Definitions)
Composition of Authority/Governing Body:	None specified.
Charters Applicable to this Law:	None specified.
Akwesasne Law Regulations:	Emergency Interim Dog Control Regulation
Akwesasne Law Procedures:	None specified.
Appeal Mechanisms:	Decisions of the Akwesasne Court may be appealed to the Council of Elders.
Standard Oaths:	None specified.
Deviations:	None identified.
Enforcement:	Akwesasne Mohawk Police Officers; Akwesasne Conservation Officers; Animal Control Officer
Fines:	s. 4 Nuisance Violation – First offence is a warning, second offence is a fine of One Hundred Dollars (\$100), and the third and subsequent offence can result in seizure of the dog and have the Court declare the dog a serious nuisance. s. 6 Serious Nuisance – A dog declared a serious nuisance must be destroyed by the Animal Control Officer, after notification of action has been given. s. 11 General Violation – Fine not to exceed One Thousand Dollars (\$1,000) or imprisonment for a term not to exceed thirty (30) days, or both.
Amendments:	None specified.

By-Law Respecting Peacekeeper Program

Kaiahnehronsehra iehiontakwa# 2015-24

Law Summary:

The By-Law Respecting Peacekeeper Program establishes the authority for an Akwesasne Mohawk Policing Program. This Law sets out the duties of Peacekeepers, which includes maintaining the public peace, order and public safety on Akwesasne Lands. Peacekeepers are also responsible to institute proceedings against anyone who violates and Akwesasne Law.

Enactment/Coming Into Force:	May 29, 1986
Mohawk Council Resolution:	1986/1987-#141
Type of Law:	Akwesasne Community Law
Authority/Governing Body:	None specified.
Composition of Authority/Governing Body:	None specified.
Charters Applicable to this Law:	None specified.
Akwesasne Law Regulations:	None specified.
Akwesasne Law Procedures:	None specified.
Appeal Mechanisms:	None specified. Follows Akwesasne Court Appeals Process.
Standard Oaths:	None specified.
Deviations:	None identified.
Enforcement:	Peacekeepers.
Fines:	Obstructing a Peacekeeper – Fine not to exceed One Hundred Dollars (\$100) or imprisonment for a term not to exceed thirty (30) days, or both.
Amendments:	None specified. Follows Akwesasne Legislative Enactment Regulation.

By-Law Respecting the Sale of Fireworks within the Mohawk Territory of Akwesasne

Kaiahnehronsehra iehiontakwa# 2015-25

Law Summary:

The By-Law Respecting the Sale of Fireworks within the Mohawk Territory of Akwesasne to control the sale and possession of fireworks on Akwesasne Lands. This Law prohibits the possession, import, store, use and manufacture of fireworks. This Law does provide businesses to obtain permits to sell fireworks. The importation, sale, use and possession of fireworks on Akwesasne Lands is limited to two periods of time, April 30 to May 3; and the last week of June until the second week in July of each year. Persons under sixteen (16) years of age must be supervised by an adult over twenty-one (21) years of age to ensure safe use of fireworks.

Enactment/Coming Into Force:	February 29, 1988
Mohawk Council Resolution:	1987/1988-#532
Type of Law:	Akwesasne Community Law
Authority/Governing Body:	Mohawk Council of Akwesasne appointed administrator of this Law (s. 12).
Composition of Authority/Governing Body:	None specified.
Charters Applicable to this Law:	None specified.
Akwesasne Law Regulations:	None specified.
Akwesasne Law Procedures:	None specified.
Appeal Mechanisms:	None specified. Follows Akwesasne Court Appeal Process.
Standard Oaths:	None specified.
Deviations:	Permit to be issued by the Mohawk Licensing Commission.
Enforcement:	Akwesasne Mohawk Police Service (s. 11)
Fines:	s. 13 General Violation – Fine on first offence is Thirty Dollars (\$30), on second offence is Seventy-Five Dollars (\$75), on third offence is One Hundred Fifty Dollars (\$150), and subsequent offences fines not to exceed One Thousand Dollars (\$1,000) or imprisonment for a term not to exceed thirty (30) days, or both.
Amendments:	None specified. Follows the Akwesasne Legislative Enactment Regulation.

By-Law Respecting the Sale of Tax Exempt Cigarettes and Other Tobacco Products within the Mohawk Territory of Akwesasne

Kaiahnehronsehra iehiontakwa# 2015-26

Law Summary:

The By-Law Respecting the Sale of Tax Exempt Cigarettes and Other Tobacco Products within the Mohawk Territory of Akwesasne controls the sale of tax exempt cigarettes and other tobacco products. This Law enables the issuance of Tax Exempt Cigarette Permits to businesses serving the Akwesasne community. It provides authority to the Mohawk Licensing Commission to determine whether a permit will be issued.

Enactment/Coming Into Force:	February 29, 1988 Registered as an Indian Act By-Law on April 9, 1988
Mohawk Council Resolution:	1987/1988-#519
Type of Law:	Akwesasne Community Law and Indian Act By-Law
Authority/Governing Body:	Mohawk Licensing Commission.
Composition of Authority/Governing Body:	None specified.
Charters Applicable to this Law:	Mohawk Licensing Commission Charter.
Akwesasne Law Regulations:	Administrative guidelines to be developed (s. 5).
Akwesasne Law Procedures:	s. 2 provides information on what will be contained in permits issued for tax exempt cigarette sales.
Appeal Mechanisms:	None specified. Follows Akwesasne Court Appeal Process.
Standard Oaths:	None specified.
Deviations:	An individual separate from the Mohawk Licensing Commission can be appointed to administer this Law. (s. 10)
Enforcement:	None specified.
Fines:	s. 11 General Violation – Fine not to exceed One Thousand Dollars (\$1,000) or imprisonment for a term not to exceed thirty (30) days, or both, in addition to suspension or revocation of permit.
Amendments:	None specified. Follows the Akwesasne Legislative Enactment Regulation.

By-Law Defining the St. Regis Sanitation Incentive Program

Kaiahnehronsehra iehiontakwa# 2015-27

Law Summary:

The By-Law Defining the St. Regis Sanitation Incentive Program governs the development of private water systems on Akwesasne Lands. It provides two tiers of priority for water projects, with the first being construction where water is obtained for household use. The second is where water for domestic use is move from source to termination. This By-Law provides guidelines for operation of a Mohawk Council of Akwesasne program with delegated authority to an Administrative Committee that is responsible for overseeing the program.

Enactment/Coming Into Force:	January 8, 1973
Mohawk Council Resolution:	Band Council Resolution #1373
Type of Law:	Akwesasne Community Law
Authority/Governing Body:	“Administrative Committee” – Welfare Committee or other as appointed by the Mohawk Council of Akwesasne (s. 2.a)
Composition of Authority/Governing Body:	None specified.
Charters Applicable to this Law:	None specified.
Akwesasne Law Regulations:	None specified.
Akwesasne Law Procedures:	None specified.
Appeal Mechanisms:	s. 4(c) Decisions made by the Committee on Applications for projects pursuant to this law are final.
Standard Oaths:	None specified.
Deviations:	None identified.
Enforcement:	None specified.
Fines:	None specified.
Amendments:	s. 6 Amendments – Amendments may be made by Council Resolution.

Small Vessels Act within the Mohawk Territory of Akwesasne

Kaiahnehronsehra iehiontakwa# 2015-28

Law Summary:

The Small Vessels Act within the Mohawk Territory of Akwesasne regulates and maintains water safety. This Law sets requirements for pleasure craft and racing type vessels, requiring that such vessels carry adequate safety instruments (e.g. oars, life vests, lights). This Law also requires that every operator of a vessel will have due regard to all dangers of navigation and collision and special circumstances.

Enactment/Coming Into Force:	June 4, 1988
Mohawk Council Resolution:	1988/1989-#132
Type of Law:	Akwesasne Community Law
Authority/Governing Body:	None specified.
Composition of Authority/Governing Body:	None specified.
Charters Applicable to this Law:	None specified.
Akwesasne Law Regulations:	None specified.
Akwesasne Law Procedures:	None specified.
Appeal Mechanisms:	None specified. Follow Akwesasne Court Appeal Process.
Standard Oaths:	None specified.
Deviations:	None identified.
Enforcement:	None specified.
Fines:	Ch. 4 s. 16 General Violation – Fine not to exceed One Thousand Dollars (\$1,000) or imprisonment for a term not to exceed a term of Three (3) months, or both.
Amendments:	None specified. Follow Akwesasne Legislative Enactment Regulation.

By-Law #5 Waterworks System

Kaiahnehronsehra iehiontakwa# 2015-29

Law Summary:

The By-Law #5 Waterworks System provides for the construction and maintenance of waterworks system and for the payment of water rates and to regulate the use of water supplies. Applications to establish a supply of water from the waterworks system is done between April 15 and November 15 of each year. This Law also establishes the criteria for approval of a applicant to be connected to the waterworks system, with approval granted by the Water Commissioner.

Enactment/Coming Into Force:	December 14, 1964 Registered as an Indian Act By-Law on December 23, 1964
Mohawk Council Resolution:	No Band Council Resolution Number
Type of Law:	Akwesasne Community Law and Indian Act By-Law
Authority/Governing Body:	Water Commission (s. 19)
Composition of Authority/Governing Body:	None specified.
Charters Applicable to this Law:	None specified.
Akwesasne Law Regulations:	None specified.
Akwesasne Law Procedures:	This Law provides procedures on applying for water permits (s. 4).
Appeal Mechanisms:	None specified. Follows Akwesasne Court Appeal Process.
Standard Oaths:	None specified.
Deviations:	None identified.
Enforcement:	Water Commission (s. 10, s. 12 & s. 13)
Fines:	s. 16 Failure to Pay – Water Commissioner may turn off water connection.
Amendments:	None specified. Follows Akwesasne Legislative Enactment Regulation.

Wildlife Conservation Law

Kaiahnehronsehra iehiontakwa# 2015-30

Law Summary:

The Wildlife Conservation Law delegates authority to the Akwesasne Conservation Authority to administer the law, and to the Conservation Officer to enforce the Law. The Akwesasne Conservation Authority may issue permits pursuant to this Law. This Law also provides provisions to protect the habitat and the environment as well as prescribing limits for methods of hunting and fishing to promote safety.

Enactment/Coming Into Force:	April 29, 1989
Mohawk Council Resolution:	1989/1990-#078
Type of Law:	Akwesasne Community Law
Authority/Governing Body:	Akwesasne Conservation Authority
Composition of Authority/Governing Body:	Akwesasne Conservation Authority (5) – community members appointed by Mohawk Council of Akwesasne (Part I).
Charters Applicable to this Law:	None specified.
Akwesasne Law Regulations:	None specified.
Akwesasne Law Procedures:	None specified.
Appeal Mechanisms:	None specified. Follows Akwesasne Court Appeal Procedure.
Standard Oaths:	None specified.
Deviations:	None identified.
Enforcement:	Akwesasne Conservation Officers; Akwesasne Mohawk Police Service (Part II)
Fines:	Part II s. 20 Obstructing Conservation Officer – Fine not to exceed One Thousand Dollars (\$1,000) or imprisonment for a term not to exceed thirty (30) days, or both. Part II s. 21 Conservation Officer Violation – Fine not to exceed One Thousand Dollars (\$1,000) or imprisonment for a term not to exceed thirty (30) days, or both. Part X s. 212 General Violation – Fine not to exceed One Thousand Dollars or imprisonment for a term not to exceed one (1) month, or both.
Amendments:	None specified. Follows Akwesasne Legislative Enactment Regulation.

Iatathróna Roatíentáhtsera ‘Couples Property’ Law

Kaiáhnehronsehra íehíontakwa# 2015-31

Law Summary:

The Iatathróna Roatíentáhtsera ‘Couples Property’ Law is meant to establish rules and mechanisms for the determination of the division of Matrimonial Property on marital breakdown. It is also meant to determine the Matrimonial Home and ensure that the paramount consideration, when determining possession of the Matrimonial Home, is that the Child is not separated from the Matrimonial Home. This Law applies to both Members and non-Members who are the Spouse or Child of a Member.

Enactment/Coming Into Force:	December 7, 2013 Coming into Force: November 26, 2015
Mohawk Council Resolution:	2013/2014-#279
Type of Law:	Akwesasne Community Law and Community Law as approved under the <i>Family Homes on Reserves Act</i>
Authority/Governing Body:	None specified.
Composition of Authority/Governing Body:	None specified.
Charters Applicable to this Law:	None specified.
Akwesasne Law Regulations:	Iatathróna Raotíentáhtsera ‘Couples Property’ Law Regulation
Akwesasne Law Procedures:	None specified.
Appeal Mechanisms:	Appeals to decisions of the Akwesasne Court are to the appellate division of the court. (s. 14.0 Appeals)
Standard Oaths:	None specified.
Deviations:	None identified.
Enforcement:	Enforcement Officers (s. 13.1); Akwesasne Mohawk Police Service (s. 13.2).
Fines:	s. 13.4 General Violation – Fine of not less than One Thousand Dollars (\$1,000) but no greater than Ten Thousand Dollars (\$10,000).
Amendments:	This Law may be amended in accordance with the Akwesasne Legislative Enactment Regulation (s. 16.0)

Akwasasne Tekaiia'torehthà:ke Kaianerénhséra (Akwasasne Court Law)

Kaiahnehronsehra iehiontakwa# 2016-01

Law Summary:

The purpose of this Law is to set out the principles, powers and authorities of the Akwasasne Tekaiia'torehthà:ke (Akwasasne Court). This Akwasasne Tekaiia'rorehthà:ke Kaianerénhséra (Akwasasne Court Law) reflects the values of the Mohawks of Akwasasne and the principles of Sken:nen (peace), Kasatstensera (strength) and Kanikonri:io (a good mind), respect, fairness, as well as natural justice. This Law is enacted in exercise of the inherent right of self-government of the Mohawks of Akwasasne as recognized and affirmed by section 35 of the Constitution Act 1982 and by the United Nations Declaration on the Rights of Indigenous Peoples.

Enactment/Coming Into Force:	February 12, 2016/August 12, 2016
Mohawk Council Resolution:	2015/2016-#332
Type of Law:	Akwasasne Community Law
Authority/Governing Body:	Akwasasne Review Commission
Composition of Authority/Governing Body:	None specified.
Charters Applicable to this Law:	Akwasasne Review Commission Charter
Akwasasne Law Regulations:	Akwasasne Court Regulation.
Akwasasne Law Procedures:	None specified.
Appeal Mechanisms:	Decisions of the Akwasasne Court are appealed to the appellate division of the court.
Standard Oaths:	Oath for the Ratiianerenhserakweniéhstha (Justice); Oath for the Teshatitia'toréhtha (Appeal Justice)
Deviations:	None identified.
Enforcement:	Enforcement Officers (s. 11); Akwasasne Mohawk Police Service (s. 11.3).
Amendments:	This Law may be amended in accordance with the Akwasasne Legislative Enactment Regulation.

Akwasasne Oién:kwa Kaianeréhsera (Akwasasne Tobacco Law)

Kaiahnehronsehra iehiontakwa# 2016-02

Law Summary:

The Akwasasne Oién:kwa Kaianeréhsera (Akwasasne Tobacco Law) provides tobacco rules to regulate the possession, sale, purchase, distribution, manufacture, importation, exportation, and transportation of Tobacco Products on Akwasasne Lands. This law provides guidance regarding tobacco promotion and minimizing the exposure to young persons, ensuring the future wellbeing of the community. The intent of this law is to protect the health, safety, and welfare of the Mohawk community and Akwasasne Lands. The Akwasasne Oién:kwa Kaianeréhsera (Akwasasne Tobacco Law) is meant to provide a mechanism for Members and Member-owned Businesses to obtain Licenses to lawfully possess, sell, purchase, distribute, manufacture, import, export, and transport Tobacco Products on Akwasasne Lands. This Law prescribes regulations and sets out offences and restrictions in order to control all aspects of commercial tobacco in Akwasasne. The Law is not intended to be exhaustive with respect to all measures that can arise in law; but to assist in governing tobacco trade and commerce, as well as tobacco use and promotion on Akwasasne Lands.

Enactment/Coming Into Force:	June 17, 2016/April 1, 2017
Mohawk Council Resolution:	2016/2017-#075
Type of Law:	Akwasasne Community Law
Authority/Governing Body:	Akwasasne Licensing Commission
Composition of Authority/Governing Body:	5 Community Members
Charters Applicable to this Law:	Akwasasne Licensing Commission Charter
Akwasasne Law Regulations:	Akwasasne Tobacco Regulations
Akwasasne Law Procedures:	None specified.
Appeal Mechanisms:	Decisions of the Akwasasne Licensing Commission are appealed to the Akwasasne Court.
Standard Oaths:	None specified.
Deviations:	None identified.
Enforcement:	Tobacco Compliance Officers (s. 11); Akwasasne Mohawk Police Service (s. 11.3).
Amendments:	This Law may be amended in accordance with the Akwasasne Legislative Enactment Regulation.

This Akwesasne Law Information Guide was developed to provide an overview of all Akwesasne Laws registered with the Kaiahnehronshera iehiontakwa – Akwesasne Law Registry. For full copies of an Akwesasne Law, contact the Kaiahnehronshera iehiontakwa – Akwesasne Law Registry Registrar located at the Akwesasne Justice Department or view them online at www.akwesasne.ca/lawregistry