

Procedural Guidelines for

Kaiahnehronsehra iehiotakwa: Place Where Laws Are Registered

Mohawk Council of Akwesasne

MCALR Procedure
Revision date: June 23, 2011
As accepted by MCR 2011/2012-#078

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Procedural Guidelines for the MCA Law Registry

1. Purpose

- 1.1. The Procedural Guidelines for the Mohawk Council of Akwesasne Law Registry (MCALR) sets out a process which provides access to anyone wishing to obtain the most current Akwesasne Laws made under the jurisdiction of the Mohawk Council of Akwesasne (MCA).
- 1.2. All Akwesasne Laws shall be published so that the public can access them in a timely manner.
- 1.3. The MCA Law Registry shall be the repository of all Akwesasne Laws.

2. Definitions

2.1 In these Procedural Guidelines,

“Akwasasne Law” means code, community law or bylaw duly enacted by the Mohawk Council of Akwasasne;

“certified copy” means a copy of an original document certified to be a true copy by a person designated by MCA;

“Council” means the Mohawk Council of Akwasasne duly elected pursuant to the Akwasasne Election Law or any successor law;

“Member” means a person who is enrolled on Akwasasne’s Membership Roll in accordance with the Akwasasne Membership Code;

“Mohawk Council of Akwasasne” means the governing body of Akwasasne duly elected under the Akwasasne Election Law or any successor law;

“Mohawk Council of Akwasasne Law Registry” (MCALR) means the office designated by Mohawk Council Resolution for the purpose of registering Akwasasne Laws;

“Mohawk Council Resolution,” (MCR) means a resolution formally adopted by the Mohawk Council of Akwasasne;

“Registrar” means the person appointed by Mohawk Council Resolution with responsibility for the administration of the MCALR .

3. Interpretation

When calculating the number of days for the purposes of establishing a deadline, the following guidelines shall be used:

- 3.1 Unless otherwise provided, Saturdays, Sundays, federal, provincial or declared holidays and the day of an event are not included in the calculation of number of days for completing an act or meeting a deadline.
- 3.2 If the MCA administration offices are closed on a day when a time limit expires, the act may be done on the next day that the office is open.
- 3.3 Wherever the singular, or masculine or the term “person” is used in this procedure, it shall be deemed to include the plural, feminine, body corporate, Akwesasne Membership or other entity where the context so requires.
- 3.4 For greater certainty, reference to an Akwesasne Law includes any amendments and any successor Akwesasne Law.

4. Application

- 4.1 This procedure applies to all Akwesasne Laws.

5. Duties of the Registrar

- 5.1 The Registrar is the only authorized person who will register Akwesasne Laws in the MCALR.
- 5.2 The Registrar is authorized to make certified copies from the original Akwesasne Law.

6. Registration Procedure

- 6.1 Wherever possible, certified copies of Akwesasne Laws, enacted prior to the coming into force of this Procedural Guideline shall be deposited in the MCALR in accordance with the registration procedure.
- 6.2 Wherever possible, the original of an Akwesasne Law enacted prior to the coming into force of this Procedural Guideline shall be deposited in the MCA Archives.
- 6.3 Three originals of an Akwesasne Law enacted after the coming into force of these Procedural Guidelines shall be delivered by Council's Executive Assistant; or Council's designate, to the Registrar no later than seven (7) days following the day on which it is enacted together with the MCR accepting the Akwesasne Law.
- 6.4 Within seven (7) days of receipt by the Registrar, Akwesasne Laws shall be entered into the MCALR.
- 6.5 The Registrar shall affix a title page to each original of the Akwesasne Law which shall include:
 - a. the title of the Akwesasne Law,
 - b. the MCR Number,
 - c. the date upon which it was enacted,
 - d. the date upon which it is registered,
 - e. an appropriate designation or identification number, and
 - f. affixing the seal of the MCA Law Registry
- 6.6 Once registered, two originals of the Akwesasne Law shall remain with the MCALR. One original is to be stored and the other original copy will be used for making certified copies as the need arises.
- 6.7 The third registered original Akwesasne Law shall be forwarded to MCA archives.
- 6.8 The Registrar shall forward a certified copy of each registered Law to MCA authorized bodies including but not limited to the Akwesasne Mohawk Police Services, the Akwesasne Mohawk Court and the Akwesasne Justice Department.
- 6.9 The Registrar shall forward a certified copy of each registered Law to the Mohawk Nation Council of Chiefs.

7. Publication

- 7.1 The Registrar shall direct or authorize the publication of a summary of the Akwesasne Law on the MCA website within seven (7) days of receipt and the summary will indicate how a full copy of the Akwesasne Law can be obtained.
- 7.2 The Registrar shall ensure that Akwesasne Laws appearing on the MCA website are the current laws in force by notifying the Information Services program manager to update the website.
- 7.3 The Information Services program manager is responsible for posting Akwesasne Laws received from the Registrar within seven (7) days.

8. Registry Location

- 8.1 The MCALR shall be maintained at the Akwesasne Justice Department.
- 8.2 The hours of operation of the MCALR shall be posted in a visible area at the Akwesasne Justice Department and on the MCA website.

9. Review of and Obtaining Copies of Akwesasne Laws

- 9.1 Any person can request a true copy of a registered Akwesasne Law from the Registrar.
- 9.2 Where any person requests a copy of an Akwesasne Law, the person shall make his or her request in writing in the manner prescribed by the Registrar.
- 9.3 Where any person requests a copy of an Akwesasne Law, the person shall pay for the cost of its reproduction and mailing, shipping or transmission as the case may be.
- 9.4 The costs for reproduction shall be established annually by the Registrar taking into account local industry standards for photocopying and other transmission methods such as electronic transmission of documents.
- 9.5 The costs for mailing and shipping shall be in accordance with established postal and shipping rates.
- 9.6 Where any person requests that the original Akwesasne Law be produced for review, the review shall be by appointment during the hours of operation of the Registry and in the presence of the Registrar or his or her designate.