

**FISHING LAKE METIS SETTLEMENT IN THE PROVINCE OF ALBERTA
FISHING BY-LAW NO. 950078**

A By-law to govern the authorization of Metis Food Fishing Licenses and special fishing permits for use in the Settlement area.

WHEREAS Section 19 of Schedule 1 to the Metis Settlements Act, S. A. 1990, c. M - 14,3 authorizes a settlement council to make a by-law, consistent with a General Council Policy, regulating hunting, fishing, trapping, and gathering in a settlement area;

NOW THEREFORE the Council and members of the Fishing Lake Metis Settlement enact as follows:

Definitions

1. In this by-law,

"member" means a member and resident of the Fishing Lake Metis Settlement;

"non-member" means a person who is a resident, but not a member, of the Fishing Lake Metis Settlement;

"non-resident" means a person who is not a resident of the Fishing Lake Metis Settlement area;

"settlement area" means the geographic area of the Fishing Lake Metis Settlement as described in section 50(2) of the Metis Settlements Act;

"Settlement" means the Fishing Lake Metis Settlement;

"special permit" means the written authorization to fish in the settlement area, including any specific conditions, that may be issued to a non-resident or a non-member by a person empowered by Council to do so.

Administration

2. The Protective Services Department of the Settlement is responsible for the administration of this by-law.

Licences and Special Permits

3. (1) A member may pick up a Metis Food Fishing Licence from the Settlement office.

(2) A Metis Food Fishing Licence expires March 31 of each year and must be returned within 7 days of expiry to the Settlement office with a record of the amount

of fish taken.

(3) Non-members and non-residents who hold a valid Alberta sportfishing licence may apply to the Settlement Protective Services Department for a special permit to fish in the settlement area.

Fishing

4. (1) A person with a Metis Food Fishing Licence or a special permit may fish in the settlement area according to the regulations on the Metis Food Fishing Licence or the special permit.
- (2) A person fishing in the settlement area with a Metis Food Fishing Licence or a special permit is subject to the Fisheries Act of Canada.
- (3) Council may, upon recommendations from the Lands and Resources department, close water bodies to fishing for specific time periods, including spawning seasons.
- (4) Notification of water body closures must be by public notice as defined in section 233 of the Metis Settlements Act.

Limits

5. (1) A person with a special permit who fishes within the Settlement area must comply with the limits as set out in the special permit's regulations.
- (2) If limits are not set out on a special permit, the general limits set out in the Alberta Fishery Regulations apply.

Suspending Licences

5. The Settlement Council may suspend the fishing privileges, in the Settlement area, of a member who is convicted of an offence under this by-law or the Wildlife Act of Alberta for up to 5 years.

Offences and Penalties

6. (1) A person who contravenes a provision of this by-law is guilty of an offence and is liable to a fine of not more than \$2500.00, or, imprisonment for a term of not more than 6 months if a fine is not paid.

(2) A person who is issued a violation ticket for a contravention of this by-law may plead guilty and make a voluntary payment of \$50 for the offence in accordance with the Provincial Offences Procedure Act.

Coming into Effect

7. This by-law comes into effect upon ministerial approval.

READ a first time this ____ day of _____, 199_ at a Council meeting at which ____ Council members were present and voted as follows:
____ for; ____ against; ____ abstained.

READ a second time this ____ day of _____, 199_ at a Council meeting at which ____ Council members were present and voted as follows:
____ for; ____ against; ____ abstained.

APPROVED pursuant to section 55 of the Metis Settlements Act, at a Settlement public meeting this ____ day of _____, 199_ at which ____ members were present and voted as follows:
____ for; ____ against; ____ abstained.

READ a third time and adopted this ____ day of _____, 199_ at a Council meeting at which ____ Council members were present and voted as follows:
____ for; ____ against; ____ abstained.

Settlement Administrator

Date Approval Granted

[SEAL]

**Minister Responsible for the
Administration of the
Metis Settlements Act**