

Sechelt Indian Band

LAW No. 2017 – 01

A Law to Amend the Prohibition of Intoxicants Law

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WHEREAS the federal *Controlled Drugs and Substances Act*, SC 1996, c 19 generally prohibits the possession, production, sale and distribution of marijuana;

AND WHEREAS the *Access to Cannabis for Medical Purposes Regulations*, SOR/2016-230 under the *Controlled Drugs and Substances Act*, SC 1996, c 19 creates an exception to the general prohibitions where possession, production, sale and distribution of marijuana is done under federal license;

AND WHEREAS the shíshálh Nation's Prohibition Intoxicants Law prohibits the possession, production, sale and distribution of intoxicants, defining "intoxicants" to include marijuana;

AND WHEREAS the Council of the shíshálh Nation wishes to allow federally licensed marijuana producers to operate on Sechelt Lands;

AND WHEREAS Part III, Division (1) of the Constitution of the shíshálh Nation at paragraph and section 14(1)(o) of the *Sechelt Indian Band Self-Government Act*, authorizes the Council of the shíshálh Nation to make laws in relation to the prohibition of intoxicants on Sechelt lands and any exception to a prohibition of possession;

AND WHEREAS a majority of the electors of the shíshálh Nation that attended a special meeting of the shíshálh Nation on July 24<sup>th</sup>, 2017 for the purpose of considering this law assented to this law;

NOW THEREFORE the Council of the shíshálh Nation, in open meeting assembled, enact as follows:

1. This law may be cited for all purposes as the "PROBITION OF INTOXICANTS LAW NO 3."

2. Sechelt Indian Band Law No 1993-02 is hereby amended by replacing the definition of "intoxicant" under section 2 with the following:

"Intoxicant" means a controlled substance as that term is defined in the *Controlled Drugs and Substances Act of Canada*, as amended, or in any successor statute, but excludes cannabis produced, supplied, possessed, and sold pursuant to the *Access to Cannabis for Medical Purposes Regulations*, SOR/2016-230, as amended, or in any successor regulation or statute, and excludes liquor as the term is defined in the *Liquor Control and Licensing Act of British Columbia*, as amended, or in any successor statute;

Read a First time this 16<sup>th</sup> day of August 2017.

Read a Second time this 16<sup>th</sup> day of August 2017.

Read a Third time this 12<sup>th</sup> day of September 2017.

Reconsidered, finally passed and adopted by the Council and signed by the majority of the Councillors present at a meeting duly convened for this purpose on the 12<sup>th</sup> day of September 2017.

  
Chief Warren Paul

  
Councillor Corey August

  
Councillor Selina August

  
Councillor Keith Julius

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Councillor Alvina Paul