



•◁◡◢◣◤◥◦ ◧◨◩

CREE NATION OF EASTMAIN

P.O. BOX 90, EASTMAIN, QUEBEC J0M 1W0
Tel.: (819) 977-0211-0266
Fax: (819) 977-0281

AMENDED EASTMAIN BAND GENERAL BY-LAW NO.119

WHEREAS on April 18, 1986 the Eastmain Band enacted the General By-law No. 6;

WHEREAS the Eastmain Band Council deems it necessary to adopt a new General By-law to regulate Band administration as well as Council and Band meetings.

NOW THEREFORE:

PURSUANT to Sections 39, 45 (1) a) and 82 (2) of the *Cree-Naskapi (of Québec) Act*, S.C. 1983-84, c.18 (the *AAct*), the Eastmain Band, acting through its Council at a meeting of the said Council held in Eastmain on the 29th day of October, 2009, hereby enacts the present General By-Law:

Interpretation

1. (1) Unless otherwise indicated by express terms or necessary implication, the words and expressions used in this By-Law shall have the same meaning as in the *Cree-Naskapi (of Québec) Act*, S.C. 1983-84, c.18. Words importing the singular number or the masculine gender shall include the plural number of the feminine gender, as the case may be, and vice versa. Unless inconsistent with the provisions of the present General By-Law, references to persons shall include firms and corporations.
- (2) For greater certainty, the following words and expressions shall mean:
 - (a) “Act”: The *Cree-Naskapi (of Québec) Act*, S.C. 1983-84, c.18;
 - (b) “Agreement”: The *James Bay and Northern Québec Agreement*;
 - (c) “Band”: The Eastmain Band;
 - (d) “Chief”: The person holding the office of Chief of the Band;
 - (e) “Community”: The community comprising the members of the Band;
 - (f) “Council”: The continuing body of Council members of the Band holding office pursuant to Part II of the Act and the Election By-Law of the Band;
 - (g) “Council member”: The Chief or a councillor of the Band;
 - (h) “Councillor”: A person holding office as councillor of the Band;

- (i) *“Elector”*: A member of the Band who is eighteen (18) years of age or over and not declared mentally incompetent under the laws of the Province of Québec as well as a person deemed to be an elector of the Band under Section 18 of the Act;
 - (j) *“Executive Officers”*: Band Secretary, Treasurer and Director General;
 - (k) *“Regulation”*: The regulations made under the Act.
- (3) This By-Law shall be read in conjunction with, and completed by the Act.

Head Office

2. The head office of the Band shall be located at such place on its Category IA Lands as is fixed by the Council by resolution from time to time.

Seal

3. The corporate seal of the Band shall be circular in form and shall bear the English, French and Cree names of the Band and the year of its incorporation. The Council may, by resolution, make provision from time to time to produce a duplicate of the corporate seal of the Band.

Powers of the Council

4. (1) The Band shall act through its Council in exercising its power and carrying out its duties under the Act.
- (2) The Council shall act by resolution, except where required by the Act to act by by-law.

Composition of the Council

5. (1) The Council shall consist of five (5) Council members, comprising the Chief, the Deputy-Chief and three (3) councillors, holding office pursuant to Part II of the Act and the Elections By-Law of the Band.
- (2) The Chief is the principal representative and chief executive officer of the Band and shall perform any duties assigned to him by the Act, the regulations, the by-laws of the Band, the resolutions of the Council and the resolutions of the members of the Band.
- (3) The councillor holding office as Deputy-Chief in accordance with the Election By-Law of the Band or in accordance with regulations made under paragraph 67 (1) (a) of the Act shall perform the duties assigned to him by the regulations and the by-laws of the Band, the resolutions of the Council or the resolutions of the members of the Band.

- (4) In the event that the Chief is incapacitated or absent for any length of time which the Council feels is long enough to warrant that the Deputy-Chief replaces the Chief temporarily, or if the office of Chief is vacant, the Deputy-Chief has and may exercise all the powers and duties of the Chief.

Meetings of the Council

Regular Meetings

6. Regular Council meetings shall be held at least once in every calendar quarter. Such regular meetings shall be held on the first working Tuesday of the months of March, June, September and December at 9:30 a.m.

Special Meetings

7. Special Council meetings shall be called by the Band Secretary on direction of the Chief or on direction in writing of three (3) councillors. Subject to subsection 9 (2), such special meetings may be held at such time as the Chief or Councillors, as the case may be, may determine.

Place

8. Meetings of the Council shall take place at the head office of the Band or at such other place as the Council may determine by resolution from time to time.

Notice

9. (1) No notice of regular Council meetings need be given.
- (2) Notice of any special Council meeting shall be posted at the head office of the Band and give by the Band Secretary to each Council member at least seven (7) days prior to such meeting. Provided a quorum of Council members is present, however, no notice need be given of a special Council meeting held immediately after the annual ordinary meeting of members of the Band.
- (3) Notice may be given in writing, by telephone or by any other means of communications.
- (4) Notice of a special Council meeting shall give the date, place and time of such meeting and a concise statement of the matters to be considered thereat.
- (5) No notice of a special Council meeting need be given if all the Council members are present at, and consent to, such meeting or if all the Council members waive notice in writing of the time, place and purpose of such meeting.

Agenda

10. (1) The agenda of a regular Council meeting shall be prepared by the Band Secretary on the direction of the Chief.

- (2) The agenda of a special Council meeting shall set forth the matters specified in the notice of such meeting.
- (3) The agenda of any regular or special Council meeting shall be adopted by resolution with such amendments, subject to subsection 11 (2), as the Council may approve.

Business

11. (1) At a regular Council meeting, the Council may consider or transact any matter special or general.
- (2) Only those matters specified in the notice of a special Council meeting may be considered thereat, save with the unanimous consent of the Council members if they are all present at such meeting.

Quorum

12. (1) Subject to subsections (2) and (3), the quorum of a Council meeting consists of the majority of the number of positions of Council member.
- (2) Where, at any time, vacancies on the Council result in there being in office fewer Council members than constitute a quorum under subsection (1), the Council members remaining in office constitute a quorum, subject to subsection (3), for the limited purpose of enabling the Council to act in a caretaker capacity until such time as enough vacancies on the council have been filled pursuant to Part II of the Act and the Election By-Law of the Band to restore the quorum referred to in subsection (1).
- (3) A Council member who, pursuant to subsections 17 (1) to (3), is disqualified from taking part in deliberations and from voting shall be considered not to be present for the purpose of determining a quorum under subsections (1) and (2).

Procedure

13. (1) The Chief, or, in his absence, the Deputy-Chief shall act as Chairman at Council meetings.
- (2) In the event that both the Chief and Deputy-Chief are unable to act as Chairman at a Council meeting, the Council shall, by resolution, designate another Councillor to so act.
- (3) The Band Secretary shall act as Secretary at Council meetings.
- (4) In the event that the Band Secretary is unable to act as Secretary at a Council meeting, the Council shall, by resolution, designate another person to so act.
- (5) Subject to subsection (6), Council meetings shall be open to the public, save where the subject matter discussed would violate privacy or confidentiality.

- (6) The Chairman of a Council meeting may cause to be expelled and excluded from that meeting any person whom he considers as displaying improper conduct at the meeting.
- (7) Upon a quorum being present, the Chairman shall take the chair and call the meeting to order.
- (8) One or more Council members may participate in meetings of the Council by electronic means such as teleconference and videoconference.
- (9) Should procedural problems arise during a Council meeting, the Robert's Rules of Order shall be used to resolve the situation unless they are in conflict with the Act or this By-Law;
- (10) The order of business at each regular Council meeting shall be as follows:
 - (a) reading, amendment, if any, and adoption, by resolution, of the agenda;
 - (b) presentation, correction, if any, and adoption, by resolution, of the minutes of previous Council meetings;
 - (c) unfinished business;
 - (d) presentation and consideration of reports of committees, if any;
 - (e) any other business that appears on the agenda and may properly be brought before the meeting.
- (11) Each resolution shall be presented and read by the mover, and, when duly moved and seconded and placed before the meeting by the Chairman, shall be open for consideration.
- (12) After a resolution has been placed before the meeting by the Chairman, it shall be open for consideration by the Council, but it may be withdrawn by the consent of the majority of the Council members present.
- (13) When any Council member desires to speak, he shall, upon being recognized by the Chairman, address his remarks to the Chairman, and confine himself to the question then before the meeting.
- (14) In the event that more than one Council member desires to speak at one time, the Chairman shall decide who is entitled to speak.
- (15) The Chairman may call any Council member to order while he is speaking.
- (16) Any Council member may require the question or resolution under consideration to be read for his information or explained to him at any period of the debate, but not so as to interrupt a Council member who is speaking.

Voting

14. (1) The approval of any matter by the Council requires the affirmative votes of the majority of the Council members present when the vote is taken, subject to subsections 17 (1) to (3).
- (2) For the purposes of subsection (1), in any vote, where a Council member present does not indicate either an affirmative vote or a negative vote or an abstention, he shall be deemed to have voted in the affirmative.
- (3) In the event of a tied vote, the Chairman may, except where disqualified from voting under subsections 17 (1) to (3), cast a second vote to determine the question.
- (4) A Council member who, pursuant to subsections 17 (1) to (3), is disqualified from taking part in deliberations and from voting shall be considered not to be present for the purposes of determining a majority under subsection (1).
- (5) All votes at any Council meeting shall be taken by secret ballot if so demanded by any Council member present, but if not such demand is made, the vote shall be taken in the usual way by assent or dissent.
- (6) A declaration by the Chairman of the Council meeting to the effect that a by-law has been enacted or defeated, that a resolution has been adopted or defeated, as to the number of votes cast, or as to the majority for or against, shall be conclusive evidence thereof and shall be noted by the Band Secretary in the minutes of the meeting at which the question concerned was decided.

Adjournment

15. (1) The Council may adjourn any regular or special Council meeting to any other hour of the same day or a subsequent day. Save in the case mentioned in subsection (2), no notice of such adjournment need be given to the Council members who were not present.
- (2) When no quorum is present at a council meeting, the Chairman or any two Council members may adjourn the meeting at the expiration of one (1) hour from the time it is established that there is no quorum. The hour of the adjournment and the names of the Council members present shall be entered by the Band Secretary in the minutes of the meeting. The Band Secretary shall give at least two (2) days notice of the adjourned meeting to the Council members who were not present at the time of adjournment (unless the meeting is adjourned to any other hour the same day).

Remuneration of Council Members

16. (1) Council members shall be entitled to receive such remuneration as may be fixed by resolution of the members of the Band at an annual ordinary Band meeting or a special Band meeting called for the purpose of considering same.

- (2) The Council may, by resolution, award special remuneration to any Council member undertaking any special services on the Band's behalf other than the routine work ordinarily required of Council members. The Council member concerned shall not take part in deliberations of the Council on such special remuneration nor vote on such special remuneration.
- (3) Council members shall be entitled to be paid, in addition to the remuneration contemplated in subsections (1) and (2), travelling and other expenses properly incurred by them in connection with the affairs of the Band in accordance with guidelines approved by the Council by resolution.

Disclosure of Interest

17. (1) A Council member shall disclose to the Council any pecuniary interest that he has in any matter before the Council and shall not take part in deliberations of the Council on that matter or vote on that matter.
- (2) Where a disagreement arises as to whether a Council member has pecuniary interest in a matter before the Council, the Council shall decide by vote whether the Council member has such an interest, and the Council member in question may not take part in that vote.
- (3) Where the Council decides, pursuant to subsection (2) that a Council member has a pecuniary interest in a matter before the Council, the Council member in question shall not take part in deliberations of the Council on that matter or vote on that matter.
- (4) Where, pursuant to subsections (1) to (3), the Chairman is prohibited from taking part in deliberations and from voting, he may nevertheless continue to act as Chairman.
- (5) In the case of a proposed contract with the Band, a Council member shall disclose his interest at the Council meeting at which the question of entering into the contract is first taken into consideration, or, if the Council member is not, at the date of that meeting, interested in the proposed contract, at the next meeting of the Council held after he becomes so interested.
- (6) Where a Council member becomes interested in a contract with the Band after it is made, he shall disclose his interest at the first Council meeting held after he becomes so interested.
- (7) Without limiting the generality of subsection (1), and subject to subsection (8), a Council member shall be deemed to have a pecuniary interest in a matter before the Council where he has an interest in an enterprise or in a partnership, company or corporation having or proposed to have a contract or dealings with the Band.
- (8) A Council member shall be deemed not to have a pecuniary interest in the case of any contract made between the Band and any of the following of which the

Council member is a member or director, namely, Wabannutao Eeyou Development Corporation, the Cree Village Corporation of Eastmain, the Eastmain Landholding Corporation, the Grand Council of the Crees (of Québec), the Cree Regional Authority, the Board of Compensation, the James Bay Regional Zone Council, the Cree School Board, the Cree Board of Health and Social Services of James Bay, the Cree Housing Corporation, Cree Trappers Association, a cooperative or corporation established for the purpose of economic and social development in the Cree community of Eastmain, a body, other than a business enterprise, created under the Agreement or of which a majority of the members are beneficiaries under the Agreement or a corporation controlled by any such body.

- (9) Subject to Section 38 of the Act and this Section, a Council member may be or become a shareholder or director of any company in which the Band, through Wabannutao Eeyou Development Corporation may be interested as vendor, purchaser, shareholder, or otherwise and no such Council member shall be accountable for any benefits received as shareholder or director of such company.

Ordinary Band Meetings

Calling of Meetings

18. (1) The Band shall hold at least one (1) ordinary Band meeting each calendar year.
- (2) An ordinary Band meeting shall be called by the Band Secretary upon the order of the Chief, or upon the resolution of the Council, or upon the petition of ten (10) electors delivered in writing to the Band Secretary, to be held, subject to Section 20, on such day and at such time and place within the Category IA Lands of the Band as may be specified in such order, resolution or petition.

Place

19. Unless otherwise specified in accordance with subsection 18 (2), an ordinary Band meeting shall be held at the head office of the Band.

Notice

20. At least ten (10) days prior to the date fixed for an ordinary Band meeting, the Band Secretary shall post at one or more public places within the Category IA Lands of the Band, including the head office of the Band, a notice specifying the date, time and place of such meeting and containing a brief description of the matters to be considered thereat.

Agenda

21. (1) The agenda of an ordinary Band meeting shall be prepared by the Band Secretary on the direction of the Chief, Council or electors calling such meeting and shall set forth the matters specified in the notice of such meeting.

- (2) The agenda of an ordinary Band meeting shall be adopted by resolution with such amendments, subject to Section 22, as the meeting may approve.

Business

22. Only those matters specified in the notice of an ordinary Band meeting may be considered thereat save with the unanimous consent of the electors present at such meeting.

Quorum

23. The quorum at an ordinary Band meeting shall be forty-five (45) electors present in person.

Conduct of Meetings

24. (1) The Chief or, failing him, the Deputy-Chief, shall act as presiding officer at an ordinary Band meeting. He may appoint such assistants, and assign to them such functions and duties, subject to his general direction, as he may deem appropriate for the proper conduct of such meeting.
- (2) The Band Secretary shall act as Secretary at an ordinary Band meeting.
- (3) In the event that the Band Secretary is unable to act as Secretary at an ordinary Band meeting, the meeting shall, by resolution, designate another person to so act.
- (4) Subject to subsection (5), ordinary Band meetings shall be open to the public.
- (5) The presiding officer of an ordinary Band meeting may cause to be expelled and excluded from that meeting any person whom he considers is displaying improper conduct at the meeting.
- (6) At the date, time and place specified in the notice of the ordinary Band meeting, the presiding officer shall ascertain whether a quorum of electors is present.
- (7) If, one (1) hour after the time specified in the notice for the beginning of the meeting, there is no quorum of electors, the presiding officer may adjourn the meeting from time to time, without notice other than an announcement at the meeting, until a quorum shall be so present.
- (8) Upon ascertaining that the quorum of electors is present, the presiding officer shall call the meeting to order and shall explain to the electors the purpose of the meeting.
- (9) Subject to the Act and this By-Law, the presiding officer shall decide all questions of procedure at an ordinary Band meeting by reference to Robert's Rules of Order.

- (10) The order of business at each ordinary Band meeting shall be as follows:
 - (a) reading, amendment, subject to Section 22, and adoption, by resolution, of the agenda of the meeting;
 - (b) presentation, correction, if any, and adoption, by resolution, of the minutes of previous Band meetings;
 - (c) business unfinished at the end of the previous ordinary Band meeting;
 - (d) any other business that appears on the agenda and may properly be brought before the meeting.
- (11) Each resolution shall be presented or read by the mover and, when duly moved and seconded and placed before the meeting by the presiding officer, shall be open for consideration.
- (12) After a resolution has been placed before the meeting by the presiding officer, it shall be open for consideration by the meeting, but it may be withdrawn by the consent of the majority of the electors present.
- (13) When an elector desires to speak, he shall, upon being recognized by the presiding officer, address his remarks to the presiding officer, and confine himself to the question then before the meeting.
- (14) In the event that more than one (1) elector desires to speak at the same time, the presiding officer shall decide who is entitled to speak.
- (15) The presiding officer may call any elector to order while he is speaking.
- (16) Any elector may require the question or resolution under consideration to be read for his information or explained to him at any period of the debate, but not so as to interrupt an elector who is speaking.

Voting

25. (1) When satisfied that sufficient time has elapsed to afford the electors present at an ordinary Band meeting a reasonable opportunity to deliberate upon and to intervene in respect of each matter being considered there, the presiding officer shall put such matter to the vote.
- (2) Voting at an ordinary Band meeting shall be by a show of hands.
- (3) All questions and resolutions at an ordinary Band meeting shall be decided by a majority in number of the votes cast for and against. In case the number of votes cast for and against is equal, the presiding officer shall have an additional, deciding vote.

Record of Votes

26. (1) When the results of the vote on any matter submitted for decision at an ordinary Band meeting are known to the presiding officer, he shall forthwith declare such results to the electors present at such meeting.
- (2) A declaration by the presiding officer at an ordinary Band meeting that a resolution has been adopted or defeated, as to the number of votes cast, or as to the majority for or against, shall be conclusive evidence thereof and shall be recorded by the Band Secretary in the minutes of the meeting at which the resolution concerned was decided.
- (3) The Band Secretary shall record in the minutes of each ordinary Band meeting the results of the vote upon every question or resolution submitted for decision thereat.

Documents

27. (1) Certified copies of any by-law or resolution of the Band, and of minutes of Council meetings, special Band meetings and ordinary Band meetings may be issued by the Chief, Deputy-Chief or Band Secretary or, failing them, by the person designated from time to time as acting secretary by the Council by resolution.
- (2) The original copy of any by-law of the Band must be signed by:
 - (a) the Chairman of the Council meeting at which it was enacted; and
 - (b) the Band Secretary or, failing him, the person designated from time to time as acting secretary by the Council by resolution.
- (3) The minutes of a meeting of the Council are not valid unless adopted by the Council by resolution and signed by:
 - (a) the Chairman of the meeting at which they are adopted; and
 - (b) the Band Secretary or, failing him, the person designated from time to time as acting secretary by the Council by resolution.
- (4) All documents in connection with the ordinary course of business of the Band, including returns required to be submitted to or filed with governmental authorities, customs and excise declarations and returns, affidavits, statutory declarations, proofs of claim or loss and general or partial release relating to same, waivers or claims of lien or privilege and discharges of same and declarations in respect of garnishment proceedings involving the Band or interrogatories upon articulated facts may be signed and executed under seal or otherwise by the Chief, Deputy-Chief, or Band Secretary for or in the name of and on behalf of the Band and, if signed and executed as aforesaid, shall be binding upon and enforceable against the Band.

Budgets

28. The annual budget, or the supplementary budget, if any, of the Band shall be adopted, explained and distributed in accordance with subsections 90 (1) to (3) of the Act.

Contracts

29. (1) Subject to subsection (3), any and all contracts, grants, commitments or undertakings of or by the Band for a total value not exceeding twenty-five thousand dollars (\$25,000), to be signed and executed by the Band, may be signed and executed under seal or otherwise by the Chief, Band Secretary, Band Treasurer or Director General, for or in the name of the Band and, if so signed and executed, shall be binding upon and enforceable against the Band.
- (2) Subject to subsection (3), any and all contracts, grants, commitments or undertakings of or by the Band, to be signed and executed by the Band, other than those contemplated in subsection (1), shall be signed and executed in the name of and on behalf of the Band by such person or persons, and upon such terms and conditions, subject to the Act and the by-laws of the Band, as the Council may determine by resolution.
- (3) The Band may not expend moneys or commit itself, by contract or otherwise, to expend moneys unless such expenditure is authorized in accordance with subsection (1) or (2) and a certificate is issued by the Band Treasurer stating that moneys are available for such expenditure, but non-compliance by the Band with this subsection does not affect the validity or enforceability, with respect to the other party, of the Band's commitment to expend moneys, if the other party took reasonable steps to satisfy itself that the Band has complied with this subsection.

Tenders for all Contracts except Construction Contracts

30. No contract for the purchase, lease or disposal by onerous title of property or services or for the issue or sale of securities may be executed by the Band unless tenders have been called for same, except:
- (a) where the value of the contract does not exceed \$25,000;
 - (b) where only one supplier meets the specifications established by the Band;
 - (c) where it is more economical that the source of supply be located close to the point of utilization and only one supplier is then available;
 - (d) where it is more economical to negotiate at the source without the intermediary of distributors and only one source of supply is then available;

- (e) where the price of the property or services is fixed by law;
- (f) where the property to be purchased has already been the subject of a lease contract and the lease cost is recoverable in part or in whole; or
- (g) in emergencies where the safety of persons or property is in question and it would not be in the public interest to call for tenders.

31. Tendering for construction contracts shall be governed by the Band By-law concerning the procedures and requirements relating to the calling of tenders and awarding of construction contracts.

Cree Priority on Contracts other than Construction Contracts

32. For projects initiated or conducted by the Band, a major purpose of which is to provide goods or services to or for the benefit of the Band and the Community, the Band shall to the extent possible establish Cree priority:

- (a) in respect to employment on such projects, by:
 - (i) interpreting requirements for various categories of jobs so that Cree persons able to perform the work shall be deemed eligible;
 - (ii) advertising jobs created by such projects in the community or in employment offices situated therein at the same time as such jobs are advertised to the general public;
 - (iii) hiring a qualified Cree person before hiring a non-native person for each available job; and
- (b) in respect to contracts arising from such projects, by:
 - (i) designing contract packages to provide Cree persons a reasonable opportunity to submit, where possible, at least three (3) competitive tenders;
 - (ii) posting calls for tenders in a public place in the community on the date on which the general public is made aware of such calls for tenders; and
 - (iii) setting the date, location, terms and conditions for tendering so that Cree individuals or groups may reply with reasonable ease.

33. Cree priority relating to construction contracts shall be governed by the Band By-law concerning the procedures and requirements relating to the calling of tenders and awarding of construction contracts.

Organization of Band Services

34. (1) All activities, projects and services provided by the Band are allocated between and covered by one or more Services, the list of which appears in subsection 34 (2). Each Service is headed by a Director and usually comprises a number of Departments. Departments are managed by either Supervisors, where permanent personnel is involved, or by Coordinators, where only budget and/or temporary personnel are involved.

(2) The Services of the Band are:

- General Government Services;
- Public and Capital Works;
- Public Safety and Fire Protection;
- Housing Administration;
- Public Health;
- Sports, Culture and Recreation;
- Economic Development;
- Special Projects;

The responsibilities of each of those Services appear in the following subsections, together with the various Departments that make them up.

(3) *General Government Services*

This Service is divided into the Legislation Department and the Administration Department:

- (a) The Legislation Department is the office of the Chief, Deputy-Chief and Councillors. This Department is responsible for the regular operations of Council, Council meetings, Annual General Meetings of members, ordinary and special meetings of members, and elections.
- (b) The Administration Department comprises Local Government Services, Finance, Band Secretary, Information and Technology ("IT"), Human Resources, Administrative and Clerical Support, and Benefits and Financial Counselling to members.

(4) *Public and Capital Works*

This Service comprises the Maintenance of Public Buildings, Equipment and Utilities, the Road and Walkway Maintenance, the Environmental Health and the Environment and Land Management.

(a) Capital Works

This Department is responsible for carrying out capital works designated as such by Council and financed through dedicated funding or agreement.

(b) Maintenance of Public Buildings, Equipment and Utilities

This Department is responsible for the operating, cleaning, maintaining, repairing, heating and lighting of all community service infrastructure buildings, as well as playgrounds, public docks, public storage facilities and cemeteries. This Department is also responsible for drinking water and waste water treatment. Finally, this Department is responsible for the testing of drinking water quality, and for the implementation of the By-Law Respecting the Quality of Drinking Water.

(c) Road and Walkway Maintenance

This Department is responsible for year round maintenance of all access roads and community streets and walkways. This Department includes periodic road grading and resurfacing, snow removal, sweeping of asphalted surfaces, maintenance of culverts, roadside drainage and street lighting.

(d) Environmental Health

This Department is responsible for the collection, disposal, treatment and, as the case may be, removal of household, institutional and commercial refuse. This Department is also responsible for periodic community cleanups and for the removal of hazardous structures and objects.

(e) Environment and Land Management

This Department is responsible for maintaining the basic level of administrative attention to environmental matters on Category I Lands and for the maintenance of the local land registry under the *CRINA* Land Registry. This Department is also responsible for impact assessments of proposed development projects on Category IA Lands at the expense of any proponent. This Department is also responsible for providing studies, geological surveys, resource inventories, ground or aerial surveys, mapping and similar services at the expense of the requester or proponent.

(5) *Public Safety and Fire Protection*

The Public Safety and Fire Protection Service comprises four Departments:

- (a) Fire Protection, responsible for the Fire Prevention and Protection Services, fire fighting equipment, fire brigade, training, and related matters.
- (b) Public Security, excluding Police Services, responsible for private security guards or watchmen as may be needed to protect Band property or to act during special events such as tournaments and festivities. This Department is also responsible for Animal Control.
- (c) Emergency Measures, responsible for facing major catastrophe, flood, epidemics, and such other large scale emergency.
- (d) Search and Rescue, responsible when Band members, guests and others may be lost or in danger on Eastmain Lands.

This Service is also responsible for Forest Fire Fighting in coordination with SOPFEU.

(6) *Housing Administration*

This Service is responsible for the planning and the allocation of new housing units, the administration of the existing housing stock, and for collecting rental revenues in connection with subsidized housing, as well as for advice to potential Cree private home owners.

(7) *Public Health*

The Public Health Service is responsible for:

- (a) Public Health proper, being the promotion of good public health, public education, prevention and counselling, including the inspection of establishments which sell prepared and unprepared food.
- (b) First Responders, which is responsible for stabilizing patients until medical services take over.
- (c) Healing Office, responsible for traditional holistic practices for both the physical and psychological wellbeing of Band members.

(8) *Sports, Recreation and Culture*

This Service comprises three Departments, two of which subdivide into several others:

- (a) Sports Development, responsible for promoting and coordinating the delivery of all sports related programs and activities, local Sport Leagues, and all tournaments.
- (b) Recreational Activities, responsible for gymnasium activities, Summer Games, community celebrations, and the like.
- (c) Culture, responsible for planning and conducting cultural activities in the areas of Cree Traditions, Culture and Heritage, such as the Winter Carnival, the Canoe Brigade and the Winter Walk.
- (d) Youth, responsible for planning, organizing and carrying out activities specific to the youth, including the management of the Youth Center.

(9) *Economic Development*

This Service is a basic support structure for Band members for business opportunity identification, development of business plans, and advice and assistance to potential entrepreneurs in developing funding proposals. This Service is also available to Wabannutao Economic Development Corporation and its subsidiaries.

(10) *Special Projects*

This Service is responsible for carrying out special functions derived from and financed through operational funding agreements, such as from Canada Post, NavCanada, Transport Canada, Niskamoon programs, and the like.

Power of Council with respect to Departments and Responsibilities

35. The Council may, by resolution, create, abrogate or modify the Department's responsibilities listed in Section 34 from time to time.

Management Group

36. (1) A Management Group is created to serve as an advisory body to Council and to provide recommendations sought by the Council or made on the Management Group's own initiative. The recommendations may relate to policies, budgets, staffing, resources and similar service delivery components.
- (2) The Management Group is made up of each Service Director and chaired by the Director General.
- (3) The Chairman, from time to time, invites other individuals, such as supervisors and coordinators, to attend a given meeting.
- (4) The Management Group shall be responsible for determining its own rules of procedure.
- (5) The Management Group will meet at least once every month.
- (6) Any five (5) members present at a meeting of the Management Group shall constitute a quorum for such meeting.
- (7) Meetings of the Management Group may be called by order of the Chairman of the Management Group at the time, place and day which he determines.
- (8) Questions arising at any meeting of the Management Group shall be decided by a majority of the votes of those present. The Chairman shall have a casting vote in the case of an equality of votes.
- (9) Meeting by teleconference and videoconference may be held at any time at the discretion of the members and such meeting shall be deemed to take place in Eastmain.
- (10) The Management Group shall have the power to:
- (a) approve any and all hiring of temporary personnel for a term of ninety (90) days or less, subject to the budget for such hiring having been approved by the Council;
 - (c) recommend any and all reclassifications and modifications to any job description.

Employee Handbook

37. The Council can, by resolution, prepare, adopt and modify an Employee Handbook setting out the working conditions applicable to all employees of the Eastmain Band. This Employee Handbook shall be remitted to each current or new employee of the Eastmain Band and shall govern employer-employee relationship. Every employee of the Eastmain Band is bound by the terms of the Employee Handbook, as it may be modified from time to time. All modifications shall be communicated to all employees.

Amendment, Repeal and Replacement

38. A by-law of the Band may be amended, repealed or replaced only by by-law enacted in conformity with the Act and this By-Law.

Previous General By-Law Replaced

39. This By-Law shall, on the date of its coming into force, repeal and replace the Eastmain Band General By-Law No.6, enacted on April 18, 1986.

IN WITNESS THEREOF, WE HAVE SIGNED, IN EASTMAIN, QUÉBEC, THIS 29th DAY OF OCTOBER, 2009.




Chairman


Secretary