



CHAPTER 35

An Act respecting the police force of Cree villages
and of the Naskapi village

[Assented to 22 June 1979]

HER MAJESTY, with the advice and consent of the Assemblée
nationale du Québec, enacts as follows:

1968, c. 17,
s. 52, am.

1. Section 52 of the Police Act (1968, chapter 17) is amended
by replacing the second paragraph by the following paragraph:

Mainte-
nance of a
police
force.

“Local municipalities within the meaning of the Municipal
Code, and Cree village municipalities and the Naskapi village
municipality constituted by the Cree Villages Act (1978, chapter
88), are authorized to establish and maintain such a police force.”

1968, c. 17,
ss. 63a-
63i,
added.

2. The said act is amended by inserting, after section 63, the
following:

“DIVISION IV A

“POLICE FORCE OF CREE VILLAGES AND OF THE NASKAPI VILLAGE

Compo-
sition.

“**63a.** The police force that a Cree village municipality or
the Naskapi village municipality is authorized to establish must
be composed of special constables appointed in accordance with
section 64.

Provision
not to
apply.

Section 55 does not apply to such a force if it is composed of
not more than two members.

By-laws
and
approval.

“**63b.** A Cree village municipality or the Naskapi village
municipality may, by by-law submitted to the approval of the
Attorney-General, determine the physical characteristics and the
educational level required and the other qualifications required
for admission as a member of its police force.

By-law to prevail. Such a by-law prevails over any by-law to the same effect made by the Commission.

Double membership. “**63c.** The members of the police force established by the Naskapi village municipality may also be members of the regional police force established by the Kativik Regional Government under the Act concerning Northern villages and the Kativik Regional Government (1978, chapter 87).

Territorial jurisdiction. “**63d.** Category IA lands which are intended for the Community whose members form a Cree village municipality and Category II or Category III lands situated within the perimeter of the aggregate of the Category I lands intended for that community, in addition to the territory of the municipality, constitute territories over which that municipality has jurisdiction within the meaning of section 54.

Lands deemed part of municipality. The lands contemplated in this section shall be delimited in accordance with the Act respecting the land regime in the James Bay and New Québec territories (1978, chapter 93) and, for the purposes of sections 62 to 62*d*, are deemed to form part of the territory of the municipality.

Exclusive jurisdiction. “**63e.** Subject to section 29, the Kativik Regional Government, established by the Act concerning Northern villages and the Kativik Regional Government has exclusive jurisdiction in police matters in the territory of the Naskapi village municipality.

Territorial jurisdiction. “**63f.** Territories over which the Naskapi village municipality has jurisdiction within the meaning of section 54 are composed of the Category IA-N and Category III lands situated within their perimeter.

Lands deemed part of municipality. These lands shall be delimited in accordance with the Act respecting the land regime in the James Bay and New Québec territories and are deemed to form part of the territory of the municipality for the purposes of sections 62 to 62*d*.

Agreement to obtain the services of the Police Force. “**63g.** Notwithstanding section 61, a Cree village municipality or the Naskapi village municipality may make an agreement with the Attorney-General in order to enable the Police Force to provide all or part of the police services in the lands on which the police force and each of its members may exercise their functions.

Agreements with Cree Regional Government. Furthermore, such a municipality may, notwithstanding section 60, make by-laws to make agreements in police matters with the Cree Regional Government established by the Act respecting the Cree Regional Authority (1978, chapter 89) or the Kativik

Regional Government or, notwithstanding the Intergovernmental Affairs Department Act (1974, chapter 15), a band within the meaning of the Cree Villages Act.

Required
approvals.

The by-laws authorizing such agreements require the approval of the Attorney-General and of the Ministre des affaires municipales.

Advisory
board.

“63h. The Lieutenant-Governor in Council may, by regulation, create an advisory board to advise him on the maintenance of peace, order and public safety in a Cree environment.

Powers of
Lt-Gov.
in C.

For these purposes, he may:

(a) state the name under which the board may be designated and permit a Cree or English designation;

(b) determine the composition of the board, of which at least one-third of the members shall be appointed by the Cree Regional Authority, and the term of office of the members;

(c) provide that the Naskapis are to be represented on the board where matters concerning them are under discussion; and

(d) provide any other measure required for the proper operation of the board.

Coming
into
force of
regulation.

A regulation comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date fixed therein.

Approval
of budget.

“63i. The budget of the police force of a municipality contemplated in this division must be submitted for approval to the Attorney-General.

Sums paid
by Attorney-
General.

The Attorney-General shall pay to the municipality, according to the budget he approves, the sums required for the establishment and maintenance of the police force.”

1978, c. 88,
s. 102,
repealed.

3. Section 102 of the Cree Villages Act (1978, chapter 88), amended by section 140 of chapter 25 of the statutes of 1979, is repealed.

Agree-
ments and
by-laws to
remain in
force.

4. The agreements and by-laws made under section 102 of the Cree Villages Act remain in force until they are replaced or repealed and the special constables appointed under that section remain in office until the expiry of the period for which they were vested with that office, or until they are dismissed in accordance with the Police Act or resign.

Sums
required.

5. The sums required for the application of this act shall be taken for the fiscal period 1979/1980 out of the consolidated

revenue fund, and for the subsequent years out of the sums granted annually for such purpose by the Legislature.

6. This act will come into force on the date to be fixed by proclamation of the Government.

Coming
into force
(17 October
1979, *G.O.*,
p. 7027).