



32 Machishteweyaa Street
Nemaska, Quebec, J0Y 3B0

Tel: 819-673-2512
Fax: 819-673-2542

CREE NATION OF NEMASKA

LAW NO. 143

RESPECTING MEASURES TO CONTAIN THE SPREAD OF COVID-19 THROUGH MANDATORY SELF-ISOLATION

WHEREAS on March 11, 2020, the World Health Organization declared the novel coronavirus disease 2019 ("**COVID-19**") to be a pandemic;

WHEREAS the COVID-19 pandemic constitutes a serious and ongoing threat to the life, health and welfare of our community members and residents and requires the immediate application of appropriate measures by all levels of government, particularly our local government;

WHEREAS the Cree Nation of Nemaska has a higher proportion than elsewhere in Québec of community members with pre-existing medical conditions, such as diabetes, cardiovascular diseases and respiratory diseases, making them highly vulnerable to COVID-19, particularly in the context of severely overcrowded housing conditions in the community;

WHEREAS the Cree Board of Health and Social Services of James Bay ("**Cree Health Board**") considers COVID-19 to remain a serious and ongoing threat within Eeyou Istchee, and a COVID-19 outbreak in the community would pose a very serious challenge to the health and public authorities and would have severe negative impacts on the life, health and welfare of many of our members and residents;

WHEREAS, pursuant to section 5.6 of the *Cree Nation Governance Agreement*, the Cree Nation of Nemaska shall act as the local government authority on its Category IA land and shall promote the general welfare of its members;

WHEREAS, pursuant to section 6.2 of the *Cree Nation Governance Agreement*, the Cree Nation of Nemaska shall have the power to make laws of a local nature for the good governance of its Category IA land and of the inhabitants of such land, and for the general welfare of its members, and, without limiting the generality of the foregoing, shall have the power to make laws respecting:

- (1) Health and hygiene, including the sanitary condition of public and private property and the control or prohibition of activities or undertakings that constitute a danger to public health; and
- (2) Public order and safety, including curfews;

WHEREAS, pursuant to subsection 9.2(2) of the *Cree Nation Governance Agreement*, the Cree Nation of Nemaska shall have the power to make a law for the purpose of regulating, on its Category IA land, the exercise of residence or access rights conferred by sections 9.3 to 9.6 of the said Agreement;

WHEREAS the Cree Nation of Nemaska is currently managing, restricting and monitoring access to the Cree Nation of Nemaska through a Checkpoint providing travel advisories to those leaving and entering the community;

WHEREAS it is essential to maintain measures to protect the life, health and welfare of our community members and residents and to manage the spread of COVID-19 in the Cree Nation of Nemaska;

NOW THEREFORE:

PURSUANT to subsection 6.2(1) and paragraphs 6.2(1)(f) and (g) of the *Cree Nation Governance Agreement*, the Cree Nation of Nemaska, acting through its council at a meeting of the council held in Cree Nation of Nemaska on the 24 of February, 2022, hereby abolishes Law No. 141 respecting Measures to Contain the Spread of COVID-19 Through Mandatory Self-Isolation and enacts the present Law No. 143 respecting Measures to Contain the Spread of COVID-19 Through Mandatory Self-Isolation.

PART I. APPLICATION OF THIS LAW

1. This Law shall only apply in the following situations:
 - (a) A person failing or refusing to abide by the obligations set forth in the Cree Nation of Nemaska Law respecting Measures to Manage the Spread of Covid-19 Through Mandatory Testing; and
 - (b) Where, upon recommendations from the Public Health Department of the Cree Board of Health and Social Services of James Bay confirmed by Resolution of the Local Council, it is being established to reinstate this Law for all individuals entering the Category IA lands of Cree Nation of Nemaska.

PART II. MANDATORY SELF-ISOLATION

2. Any person entering the Category IA lands of Cree Nation of Nemaska from areas designated as areas of potential risk for COVID-19 by the Cree Nation COVID-19 Bulletin issued by the Cree Leadership of Eeyou Istchee shall complete a mandatory self-isolation subject to the recommended isolation period(s) established in the Cree Nation COVID-19 Bulletin, upon recommendations from the Public Health Department of the Cree Board of Health and Social Services of

James Bay confirmed by Resolution of the Local Council, from the date of entry ("Mandatory Self-Isolation"), as provided for herein.

3. For the purposes of section 2, the Cree Leadership shall be defined as the COVID-19 Briefings composed of the representatives of the Cree Nation of Nemaska, the other Cree Nations of Eeyou Istchee, Cree Nation Government, the Cree Board of Health and Social Services of James Bay and the Cree School Board.
4. For the purposes of section 2, a person in Mandatory Self-Isolation shall comply with the guidelines on self-isolation of the Cree Health Board, appended hereto as Schedule "A".
5. Notwithstanding section **Error! Reference source not found.**, a person shall be exempt from the requirement to complete the Mandatory Self-Isolation upon entering the Category IA lands of the community if:
 - (a) After entering the Category IA lands of the community, they have been examined by a physician of the Cree Health Board and have been designated as COVID-19 free through testing or some other process by the Cree Health Board, as from the date and time of examination; or
 - (b) Upon entering the Category IA lands of the community, they have a specific written authorization from the Cree Nation of Nemaska, the Cree Nation Government, the Cree Health Board or the Government of Québec exempting them from the requirements as set out in section **Error! Reference source not found.**, provided that they comply with the terms and conditions set out in the said authorization.

PART III. REGISTRATION

6. The Director of Public Security of the Cree Nation of Nemaska shall maintain a public registry of individuals subject to Mandatory Self-Isolation, indicating the names of the individuals and the date of expiration of their Mandatory Self-Isolation.

PART IV. TERRITORIAL APPLICATION

7. This Law shall apply to the area situated within the perimeter of the Category IA lands of the Cree Nation of Nemaska. For greater certainty, this Law shall apply to, on and in respect of the Category III lands of the Cree Nation of Nemaska situated within such perimeter.

PART V. PENALTIES

8. Every person who contravenes this Law is guilty of an offence and is liable on summary conviction to:
 - (a) a maximum fine of one thousand dollars (\$1,000.00) for a first offence;

- (b) a maximum fine of two thousand dollars (\$2,000.00) for a second offence;
or
- (c) a maximum fine of five thousand dollars (\$5,000.00) or a maximum term of six (6) months of imprisonment, or both, for a third or subsequent offence.

PART VI. EFFECTIVE PERIOD

- 9. This Law replaces Law No. 141 respecting Measures to Contain the Spread of COVID-19 Through Mandatory Self-Isolation.
- 10. This Law shall take immediate effect and shall remain in effect until otherwise determined by resolution adopted by the Council.

Signed this 25 day of February, 2022, in the Cree Nation of Nemaska, Québec.



Chair



Secretary