

Plan of Action

Over the next several months, Chief, Council and the Community Land Code Coordinator will inform membership of the details of the development of the Shuswap Band Land Code.

Nothing will be finalized without membership approval.



Plan of Action is to communicate details on:

- Framework Agreement on Land Management
- Historical Information of Shuswap Reserve Lands
- Current Situation
- Ratification Procedures
- Shuswap Band Land Code and Individual Agreement

The fiduciary relationship to the Crown is retained, except to the extent that the land management comes under First Nation control.

Title to First Nation land is not affected by the *Framework Agreement*. First Nation land continues to be land reserved for Indians within the meaning of section 91(24) of the Constitutional Act of 1867. Constitutional protections are retained.

Membership will be informed by:

- Mail Outs
- Information Meetings
- Telephone
- Website Links

For more information on this initiative and regular updates, please visit:

www.kinbasket.net/lands

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Shuswap Band Land Code Development Initiative



Land Code Development Initiative

History:

The *Framework Agreement* on First Nations Land Management is a government to government agreement with Canada that allows First nations to resume and exercise their own jurisdiction, control and decision making over their lands and resources.

The *Framework Agreement* was signed by the Minister of Indian and Northern Affairs and Northern Development and 13 First Nations on February 12, 1996.

The *Framework Agreement* was ratified by Canada by the passage of the First Nation Land Management Act (Bill C-49) in June 1999.

Land Code Process:

The *Framework Agreement* is a First Nation driven initiative.

Each First Nation develops and ratifies their own land code that reflects their own laws, priorities and traditions.

All voting members, both on and off reserve are involved in the land code ratification.

Nothing is finalized without community ratification via referendum.

What's in a Land Code?

The Land Code will address the basic laws of the First Nation.

Identify exactly what lands are subject to the code

Set out the rules and procedures for First Nation members and others to use and occupy the First Nation land

Set out what will be done with the revenue from the lands

Set the procedure for law making and publishing First Nation land laws

Set conflict of interest standards and procedures

Set a community process to develop laws when a marriage ends

Set a process for resolving disputes under the Land Code

Set procedures by which the First Nation can grant interests in land or acquire land for community purposes

Set a procedure for amending the Land Code

Benefits:

The *Framework Agreement* allows for First Nations to make timely business and administrative decisions without having to go through the Minister of Aboriginal and Northern Development Canada for approval.

The *Framework Agreement* enables First Nations to enact and enforce sound environmental management and protection laws.

The *Framework Agreement* makes it possible for First Nations to adequately deal with the issue of matrimonial property in their respective communities in a way that does not discriminate on the basis of gender.

The *Framework Agreement* is not a Treaty. As a general rule, there is no expropriation by the federal or the provincial governments of reserve lands. Canada is still responsible to correct past wrongdoings that occurred before the First Nations land code takes effect.

