

# INDIVIDUAL AGREEMENT SUMMARY

## **SUMMARY**

First Nation members have a chance to vote on whether or not to take over land management on Reserve from Indigenous and Northern Affairs Canada. If the First Nation members approve the Land Code, the land management sections of the *Indian Act* will no longer apply to the First Nation's Reserve lands. The First Nation would take over land management. Canada would retain liability for land management decisions prior to the Land Code.

The Individual Agreement is an important part of the Land Code process. This is an agreement between the federal government and the First Nation setting out the details of what will happen if the First Nation approves the Land Code. The Individual Agreement ("IA") has 12 sections and 7 attached documents which are called "Annexes".

Here is a summary.

### **1. Interpretation**

This section sets out definitions and confirms that words used in the Individual Agreement ("IA") have the same meaning as set out in the documents which established the Land Code process for all First Nations in Canada: the *Framework Agreement* and *First Nations Land Management Act*.

### **2. Information provided by Canada**

This section sets out the information provided by Canada. This includes lists of interests (such as CPs and leases) and known environmental issues on the First Nation's Reserve lands. The lists of interests are set out in Annex 'C' and known environmental issues are set out in Annex 'D'.

### **3. Transfer of Land Administration**

Section 3 states that Canada will transfer land administration and management to the First Nation and the First Nation will become responsible.

### **4. Acceptance of Transfer of Land Administration**

Section 4 states that the First Nation accepts the transfer of land administration and management from Canada and that the land management sections of the *Indian Act* will no longer apply to the First Nation's Reserve land.

## **5. Operational Funding**

Section 5 commits Canada to provide operational funding so the First Nation can run its lands department and manage the lands. The initial funding amount is set out in Annex 'A'.

## **6. Transfer of Moneys**

Section 6 requires Canada to transfer to the First Nation revenue and capital moneys. The initial transfer amount is set out in Annex 'B'.

## **7. Notice to Other Persons**

If the members vote in favour of the Land Code, the First Nation must within 30 days notify all non-members who have a legal interest in Reserve lands (such as a lease) that the First Nation is taking over management of the lands from Canada.

## **8. Interim Environmental Assessment Process**

Section 8 states that the First Nation will follow the federal environmental assessment process until the First Nation develops an environmental assessment process under its own laws for the First Nation's Reserve land. The interim process is set out in Annex 'F'.

## **9. Amendments**

Section 9 states that the Individual Agreement can be amended if it is done in writing by Canada and the First Nation.

## **10. Notices**

This section just sets out how Canada and the First Nation will contact each other in the future for sending letters or notices.

## **11. Dispute Resolution**

Section 11 confirms that the dispute resolution process from the *Framework Agreement* applies to Land Code disputes.

## **12. Date of Coming Into Force**

The Individual Agreement will come into force on the same date as the Land Code.