



# Lac La Ronge Indian Band Land Code

## Myths & Facts

**The First Nations Land Management Act (FNLMA) is the guiding document that First Nations become subject to**

No, this is incorrect.

The First Nation Land Management Act (FNLMA) ratifies and brings into effect the Framework Agreement on First Nations Land Management (Framework Agreement). It is this agreement that is actively being implemented. First Nations sign the Framework Agreement, ratify the Framework Agreement with a vote and implement the Framework Agreement through their land codes.

**The Land Code will force First Nations members to relinquish their Indian Status**

No, neither document affects eligibility or relinquishment of Indian Status

**The Land Code create “Municipalities” of First Nations**

No. Municipalities are creations of provincial law and subject to Provincial legislation. First Nations do not gain provincial status as municipalities under the Framework Agreement.

**There is a “secret transfer” document that shifts responsibility to the province for First Nation lands**

No. There is no such document. First Nations do not come under the jurisdiction of provinces through this process.

**The Land Code prevents First Nations from asserting Aboriginal Title over Lands**

No. Aboriginal and treaty rights are not affected by the *Framework Agreement*. Title claims to unceded or traditional lands are not changed.

**The Land Code is a land surrender**

No. In fact, land surrenders are prohibited under the Framework Agreement. This process is only about First Nations reasserting control over their reserve lands and resources, land surrenders have no function.

**The Land Code creates Fee Simple title out of Reserve Lands**

No. The Framework Agreement forbids the creation of such title. First Nation Lands continue to retain the same protections as “Lands Reserved for Indians” under the constitution section 91.24.

The First Nations Lands Advisory Board and the First Nations which have signed the Framework Agreement are strongly opposed to turning reserve lands into fee simple lands and passed a resolution in 2010 to this effect.

**The Land Code is about getting rid of lands reserved for Indians**

No. See above. In fact the opposite occurs as follows:

- Surrender for sale of reserve land is prohibited
- Expropriation of land by the province is prohibited
- Expropriation of land by the Federal Crown is very restricted to a national public purpose, for as short a time as possible, with a reversion to Reserve status after the use is over. In addition, other land of equal size and value is given Reserve status. This would result in a larger Reserve



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### **The Land Code will create taxation**

No, Taxation is not part of this initiative

### **The Framework Agreement/Land Code is part of Canada's Inherent Right/Self Government Policy**

No. The Framework Agreement was negotiated and completed before the creation of Canada's Inherent Right Policy.

### **The Framework Agreement is a federal government program**

No, it is a nation to nation agreement that is being implemented.

The Framework Agreement was a specific arrangement sought, developed and driven by First Nations as an alternative to the Indian Act lands provisions. As such, the Framework Agreement cannot be changed without First Nations consent or support.

### **The Framework Agreement is an unstudied, unproven experiment with no statistics**

No, there are many First nations that have been operating under their own land codes for more than 15 years.

In excess of 50 First Nations in Canada that have developed, approved and implemented their own land codes. A wealth of information is freely available on the labrc.com website and those websites of most Operational First Nations.

A number of independent KPMG studies have measured the benefits and challenges of this initiative. These studies are available on the labrc.com website.

### **Once a First Nation approves and implements its own land code they can never go back to the Indian Act lands provisions**

Yes, this is true.

Despite governance challenges of Operational First Nations, none have indicated a willingness to go back. For some First Nations, the land code has become part of broader self-government arrangements.

### **First Nations must develop all their laws before becoming operational under a land code**

No.

The main purpose of the land code is to establish community participation processes for the development and approval of laws over reserve lands and resources.

The land code and its proposed law making approach as well as other proposed rules must be agreed to by all eligible voters on and off reserve in a ratification vote before it can be implemented.

### **First Nations must participate in Reserve Lands and Environmental Training (RLEMP) and complete RLEMP Training before becoming a signatory to the Framework Agreement**

No, Indian Act training is not required or recommended.

The Framework Agreement was created to remove the Indian Act and its legacy from our communities. RLEMP does not teach First Nations how to be self-governing.