



FISHING LAKE FIRST NATION

SUMMARY OF THE INDIVIDUAL AGREEMENT WITH CANADA

FISHING LAKE FIRST NATION

The Individual Agreement is the Government to Government Agreement between the Fishing Lake First Nation (FLFN) and Canada to officially **transfer** the administration and financial control over Fishing Lake land from Canada back to the Nation. The Individual Agreement does not get signed until the Members vote to approve it.

The lands we have identified to come under the Land Code are: *(Insert land descriptions here)*

Section 1- Interpretation

- ✦ This section includes definitions for words that are used in the Agreement and identifies Fishing Lake First reserves as the reserve lands to which the Land Code will apply.

Section 2- Information provided by Canada

- ✦ This section says that Canada will provide Fishing Lake with the following information: Lists of interests in Fishing Lake reserve land such leases and permits; and results of the reserve wide Environmental Site Assessment work and environmental work that is ongoing.

Section 3 - Transfer of Land Administration

- ✦ This section says that Canada will transfer the management and control of Fishing Lake First Nation reserve lands to Fishing Lake First Nation.

Section 4 – Acceptance of Transfer of Land Administration

- ✦ This section says that the land management provisions of the Indian Act no longer apply, specifically: Canada no longer has any authority over the parcels of land being included and Fishing Lake First Nation will start governing its reserve land pursuant to its Land Code.
- ✦ In this section Canada and Fishing Lake agree: That Canada will remain liable any damages or losses relating to the land that occurred before the Land Code comes into effect; and Fishing Lake First Nation will be liable for damages or losses after the Land Code comes into effect.

Section 5- Operational Funding

- ✦ In this section Canada is agreeing to provide a base amount of operational funding to Fishing Lake First Nation. To help with the initial Land Code implementation Fishing Lake First Nation will also receive two additional payments for the first and second year once the land code is operational.

Section 6- Transfer of Moneys

- ✦ In this section, Canada agrees to transfer to Fishing Lake First Nation all the money that Canada is holding in Fishing Lake First Nation's Indian Moneys accounts (capital and revenue) related to these lands.

Section 7- Notice to Third Parties of Transfer of Administration

- ✦ This section says that Fishing Lake First Nation must give notice of the Land Code to any of the companies that have an interest in Fishing Lake reserve land (i.e., lease holders that are leasing the land).

Section 8- Interim Environmental Assessment Process

- ✦ In this section Fishing Lake agrees that an environmental assessment that is similar to the federal environmental assessment process will be completed for certain projects on reserve land. Once the land code is in place Fishing Lake First Nation will establish its own environmental assessment law that will meet or beat the federal requirements.

Sections 9 Amendments and Section 10 Notices between the Parties

- ✦ These sections of the agreement says how amendments to the agreement will be made and how notices will be delivered to the parties.

Section 11- Dispute Resolution

- ✦ This section says that the any disputes between Canada and Fishing Lake First Nation regarding the Individual Agreement will be resolved using the dispute resolution options in the *Framework Agreement on First Nation Land Management*. This includes options such as negotiation, mediation, neutral evaluation, and arbitration.

Section 12- Date of Coming into Force

- ✦ This section says that the Individual Agreement will start to apply at the same time as the Land Code.

There are seven (7) Annex's attached to the Agreement and they include:

ANNEX "A" – Funding provided by Canada;

ANNEX "B" – Details of the Transfer of Moneys;

ANNEX "C" – List of Interests and Licenses Granted by Canada;

ANNEX "D" – List of all Existing Information in Canada's Possession Respecting any Actual or Potential Environmental Problems with the First Nation Lands;

ANNEX "E" – List of Other Material Information Provided by Canada that Materially Affects Interests and Licenses.

ANNEX "F" - Interim Environmental Assessment Process

ANNEX "G" - Description of Fishing Lake First Nation Land

FOR A FULL VERSION OF THE INDIVIDUAL AGREEMENT, PLEASE CONTACT THE LANDS OFFICE AT 1 (306) 338-3838, BY EMAIL AT: landcode@flfn.ca; OR VISIT OUR WEBSITE AT www.flfn.ca