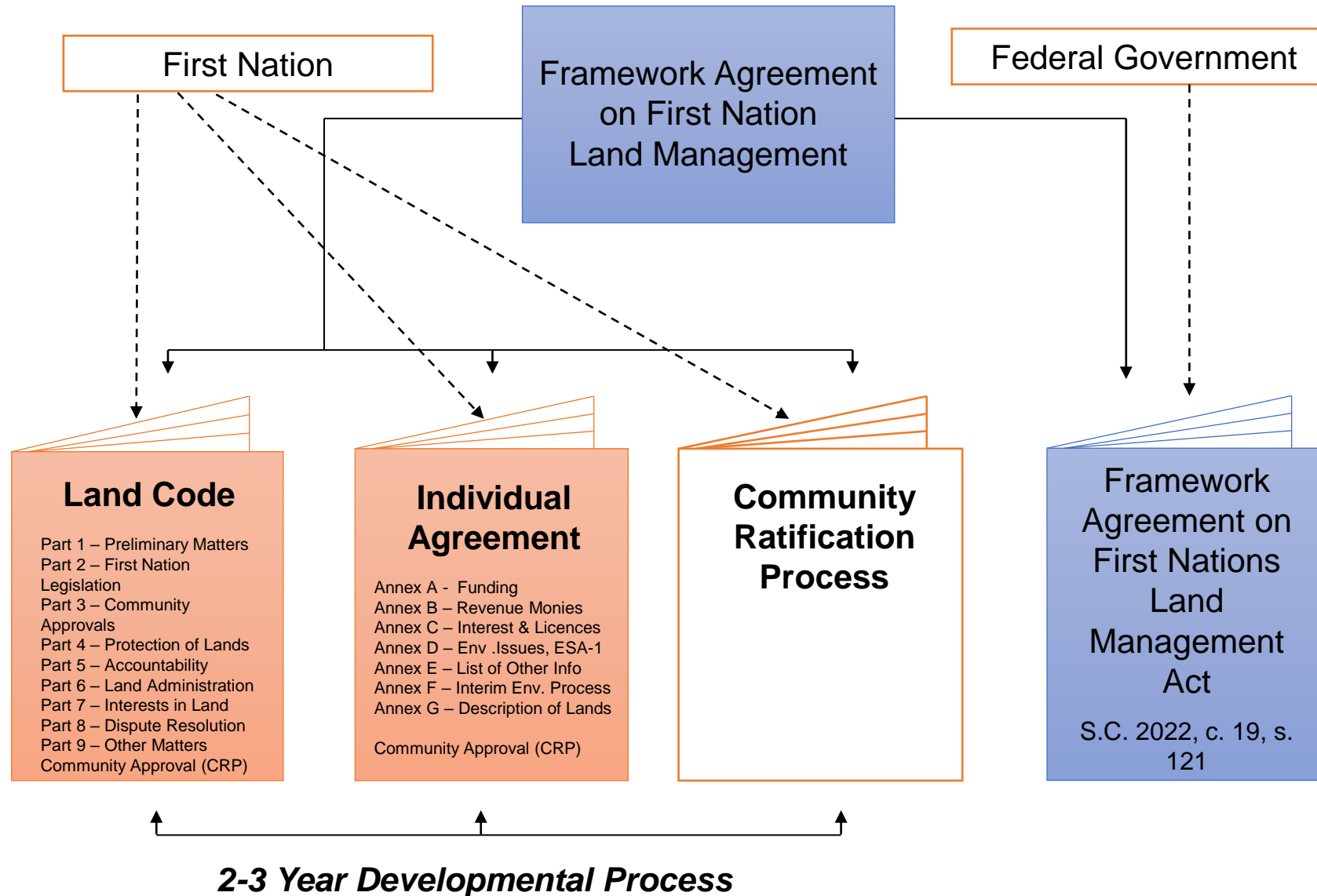


INDIVIDUAL AGREEMENT

Presentation by Dean Bear
First Nation Land Management
Resource Center

Key documents in the Process



INDIVIDUAL AGREEMENT PURPOSE

The Individual Agreement is drafted under the *Framework Agreement on First Nation Land Management*.

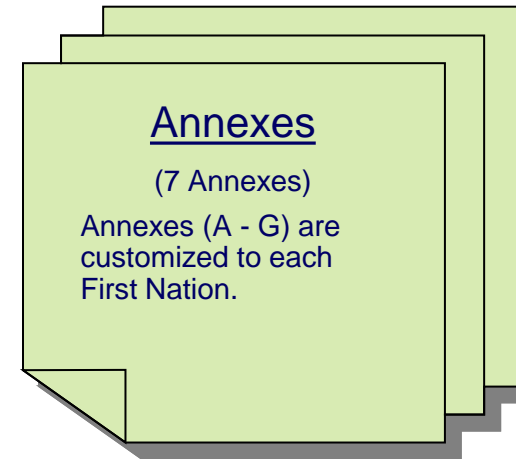
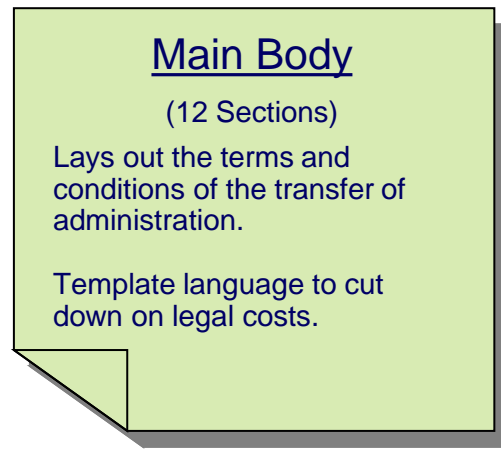
The purpose of the Individual Agreement is to set the actual level of operational funding for the First Nation and the specifics of the transfer of land administration from Canada to the First Nation.

ISC Saskatchewan Region is involved as a party to this agreement. The FN addresses the issues with support from the Resource Center, but the FN takes the lead interacting with Canada.



Individual Agreement – Overview

- Clause 6.1 of the Framework Agreement and subsection 6(3) of the *First Nations Land Management Act* require each of the First Nations to enter into an Individual Agreement with the Minister for the purpose of providing for the specifics of the transfer of administration.
- 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.
- Individual Agreement consists of 2 parts; the main body and the Annexes:



Individual Agreement Table of Contents

1. INTERPRETATION
2. INFORMATION PROVIDED BY CANADA
3. TRANSFER OF LAND ADMINISTRATION
4. ACCEPTANCE OF TRANSFER OF LAND ADMINISTRATION
5. OPERATIONAL FUNDING
6. TRANSFER OF MONEYS
7. NOTICE TO THIRD PARTIES OF TRANSFER OF ADMINISTRATION
8. INTERIM ENVIRONMENTAL ASSESSMENT PROCESS
9. AMENDMENTS
10. NOTICES BETWEEN THE PARTIES
11. DISPUTE RESOLUTION
12. DATE OF COMING INTO FORCE

SUMMARY OF CONTENTS

Transfer of Land Management

- As of the date the Land Code comes into force, Canada transfers the management of land to the First Nation.

Operational Funding

- Canada shall provide the First Nation with operational funding in the amount of \$ _____, to manage lands and resources.

First Nation Categories	New Annual Operational Funding			
	2024-25	2025-26	2026-27	2027-28
Category 1	\$341,905	\$348,744	\$355,718	\$362,833
Category 2	\$426,425	\$434,964	\$443,663	\$452,587
Category 3	\$528,353	\$538,920	\$549,649	\$560,693
Category 4	\$548,228	\$559,192	\$570,376	\$581,783

← 80% of all FN's fall into this category

Notes:

1. A 2% inflation adjustment has been applied from 2024 ongoing.

2. Transitional funding of \$200,000 (\$100,000 per year) for the **first two years** of becoming operational is in addition to the amounts above.

SUMMARY OF CONTENTS

Transitional Funding

- Canada shall provide the First Nation with transitional funding in the amount of \$100,000 per year for the first 2 years of operation.

Transfer of Revenues and Capital Monies

- Canada shall transfer to the First Nation any revenue and capital monies held under the *Indian Act*. The funds will be deposited in First Nation's bank account.

SUMMARY OF CONTENTS

Information Provided by Canada

- Canada provides a list of all interests and licences that are registered in the Indian Land Register along with all existing information in Canada's possession regarding any environmental problems with the First Nation's land and any other information that Canada has regarding the First Nation's land.

Transfer of Rights

- Canada transfers to the First Nation, all their rights, obligations, powers and authorities contained in the granting of interests in the First Nation's land.

SUMMARY OF CONTENTS

Notice to Other Persons

The First Nation must give notice to each person who is not a member of the First Nation that has an interest in the First Nation's land, that the management of the First Nation's land is being transferred from Canada to the First Nation.

Interim Environmental Assessment Process

- Until the enactment and coming into force of the First Nation's own laws on the subject, the provisions of the Impact Assessment Act will apply to projects done on the First Nation's land.

<https://laws.justice.gc.ca/eng/acts/I-2.75>

SUMMARY OF CONTENTS

Amendments

- This Individual Agreement can be amended from time to time if the First Nation and Canada agree to do so.

Dispute Resolution

- The dispute resolution provisions of the *Framework Agreement on First Nation Land Management* apply to this Individual Agreement.

INDIVIDUAL AGREEMENT ANNEXES

Annex “A”

- Describes the funding to be provided by Canada.

Annex “B”

- Describes the details on transfer of funds in revenue and capital accounts held by Canada

Annex “C”

- Contains the list of interests and licences granted by Canada.

INDIVIDUAL AGREEMENT ANNEXES

Annex “D”

- Contains a list of all existing information in Canada’s possession respecting any or potential environmental problems with the First Nation Lands.

Annex “E”

- List of other material information provided by Canada that materially effects interests and licences.

INDIVIDUAL AGREEMENT ANNEXES

Annex “F”

- Interim Environment Assessment Process

Annex “G”

- Description of the First Nation’s Land to be administered.

Roles & Responsibilities

First Nation

Canada
(ISC)

Natural
Resources
Canada

LABRC

Verifier

Roles in the Developmental Process

FNLM Resource Centre (RC) - Technical Body established by the Lands Advisory Board. Day-to-day operations including support for LAB activities, financial administration, and technical advice. Support on Individual Agreement on Land Descriptions and Phase 1 ESA and other matters.

Verifier - Independent person jointly appointed by the FN and Canada to monitor and confirm that the Community Ratification Process (CRP) and Land Code (LC) are consistent with the Framework Agreement. Needs a copy of initialed Individual Agreement prior to vote.

Natural Resources Canada (NRCan) - Research and compilation of info for the Land Description Report (which includes the creation of the boundary description, the accompanying administrative sketches, Land Management Transfer plans, research documentation and the analysis of the documentation)

Indigenous Services Canada (ISC) - Is primarily responsible for the negotiation and completion of the Individual Agreement and the various appendices. Assists First Nations cooperatively on completing Environmental Site Assessment work. The finalization of the land description with NRCan