

Sahtu Dene and Metis Land Claim Settlement Act

1994, c. 27

[Assented to June 23, 1994]

An Act to approve, give effect to and declare valid an agreement between Her Majesty the Queen in right of Canada and the Dene of Colville Lake, Déline, Fort Good Hope and Fort Norman and the Metis of Fort Good Hope, Fort Norman and Norman Wells, as represented by the Sahtu Tribal Council, and to make related amendments to another Act

Preamble WHEREAS the Slavey, Hare and Mountain Dene of the Sahtu region have traditionally used and occupied lands in the Northwest Territories from time immemorial;

WHEREAS the *Constitution Act, 1982* recognizes and affirms the existing aboriginal and treaty rights of the aboriginal peoples of Canada;

WHEREAS Her Majesty the Queen in right of Canada and the Sahtu Dene and Metis, as represented by the Sahtu Tribal Council, undertook negotiations in order to achieve certainty and clarity of rights with respect to ownership and use of those lands and their resources;

WHEREAS the Sahtu Dene and Metis, by a vote held from July 5 to 8, 1993, approved a comprehensive land claim agreement that, in exchange for the release of certain rights and claims as set out in the agreement, defines the rights that the Sahtu Dene and Metis shall have, and confirms the treaty rights that are unaffected by that release;

WHEREAS Her Majesty the Queen in right of Canada and the Sahtu Dene and Metis, as represented by the Sahtu Tribal Council, signed the agreement on September 6, 1993;

WHEREAS the Sahtu Tribal Council by resolution approved certain amendments to the agreement on January 13 and February 11, 1994;

AND WHEREAS the agreement provides that the agreement will be a land claims agreement within the meaning of section 35 of the *Constitution Act, 1982* and that approval by Parliament is a condition precedent to the validity of the agreement;

NOW, THEREFORE, Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

SHORT TITLE

Short title 1. This Act may be cited as the *Sahtu Dene and Metis Land Claim Settlement Act*.

INTERPRETATION

Definition of "Agreement" 2. In this Act, "Agreement" means the Comprehensive Land Claim Agreement between Her Majesty the Queen in right of Canada and the Sahtu Dene and Metis, as represented by the Sahtu Tribal Council, signed on September 6, 1993 and tabled in the House of Commons by the Minister of Indian Affairs and Northern Development on March 8, 1994, including any amendments made to it from time to time.

HER MAJESTY

Binding on Her Majesty 3. This Act is binding on Her Majesty in right of Canada or a province.

AGREEMENT

Agreement given 4. (1) The Agreement is hereby approved, given effect and declared valid.

effect

Rights and obligations

(2) For greater certainty, any person or body may exercise the powers, rights, privileges and benefits conferred on the person or body by the Agreement and shall perform the duties and is subject to the liabilities imposed on the person or body by the Agreement.

Title to lands

(3) For greater certainty, title to lands vests in one or more designated Sahtu organizations as provided in the Agreement.

Renewable Resources Board

5. For the purposes of carrying out its objectives, the Renewable Resources Board established by the Agreement has the capacity, rights, powers and privileges of a natural person.

Orders and regulations

6. The Governor in Council may make such orders and regulations as are necessary for the purpose of carrying out the Agreement.

Publication of Agreement and amendments

7. The Minister of Indian Affairs and Northern Development shall cause a certified copy of the Agreement and of any amendments made to it to be deposited in

(a) the library of the Department of Indian Affairs and Northern Development that is situated in the National Capital Region;

(b) the regional office of the Department of Indian Affairs and Northern Development situated in the Northwest Territories;

(c) the legislative library of the Government of the Northwest Territories; and

(d) such other places as the Minister considers necessary.

OTHER LAWS

Inconsistency or conflict

8. Where there is an inconsistency or conflict between this Act or the Agreement and the provisions of any law, this Act or the Agreement, as the case may be, prevails to the extent of the inconsistency or conflict.

Settlement corporations

9. A charter may be granted under subsection 154(1) of the *Canada Corporations Act* establishing a settlement corporation within the meaning of the Agreement to carry on, with pecuniary gain to its members, the activities permitted by the Agreement.

APPROPRIATION

Payments out of C.R.F.

10. There shall be paid out of the Consolidated Revenue Fund such sums as are required to meet the monetary obligations of Canada under chapters 8 and 10 of the Agreement.

RELATED AMENDMENTS

11. and 12. [Amendments]

COMING INTO FORCE

Coming into force

13. (1) Subject to subsection (2), this Act comes into force on the later of April 1, 1994 and the day on which it is assented to.

Idem

(2) Sections 11 and 12 are deemed to have come into force on December 22, 1992.