



# Metlakatla Land Code Development— Frequently Asked Questions

Metlakatla is one of many First Nations in BC to sign onto the **First Nations Land Management Framework Agreement**. The Agreement transfers authority and management of reserve lands from the Federal government to our own control, and removes us from roughly 25% of the Indian Act.

**But what does this really mean?** To provide a better understanding of the Act, we have a compiled of some of the most common questions our members might have.

**Q: What is the Framework Agreement?**

A: An initiative to take over responsibility for the management and control of Metlakatla lands & resources.

**Q: What is a Land Code?**

A: The basic land law of the First Nation. It will replace the land management provisions of the Indian Act.

**Q: What is Land Management?**

A: Land management involves day-to-day administration of Metlakatla lands & resources and the right to make laws in respect of those lands & resources.

**Q: Is this part of aboriginal self government?**

A: Yes, this is one component of self government & deals only with Metlakatla lands & resources.



**Q: Will the fiduciary relationship between the Crown & Metlakatla continue?**

A: Yes, the federal Crown's "special relationship" with Metlakatla will continue. The Minister's responsibility is less than it would have been under the Indian Act because Metlakatla handles day-to-day decisions.

**Q: Is this Bill an amendment to the Indian Act?**

A: No, Metlakatla is choosing to opt out of the land management sections of the Indian Act.

**Q: Is there any continuing federal responsibility for Metlakatla lands?**

A: Canada will continue to hold title to the land, but will have no management authority over the land.

**Q: Who is liable for damages related to Metlakatla land?**

A: Canada will remain liable & will indemnify Metlakatla for losses suffered as a result of any act or omission BEFORE the Land Code comes into effect.  
Metlakatla is responsible for its own land AFTER the Land Code takes effect.

**Q: What other First Nations are involved?**

A: Matsqui, Tzeachten, Westbank, Tswwassen, Seabird, Tsleil-Waututh... To name a few in BC. There are 52 communities all across Canada.

**Q: Are other First Nations interested in joining this initiative?**

A: Yes, there is a waiting list.

**Q: How does a First Nation take control of its land?**

A: By creating a Land Code, entering into an Individual Agreement with Canada, Drafting a community ratification process, and doing a community vote.

**Q: What is an Individual Agreement?**

A: The agreement is negotiated to deal with matters such as land to be managed, specifics of the transfer, and the funding to be provided.

**Q: Is the Indian Act still relevant to Metlakatla after we adopt the Land Code?**

A: Yes, approximately 2/3 of the Indian Act will still apply. Only the provisions dealing with land matters will not.

**Q: Are Metlakatla members involved in developing a Land Code?**

A: Yes. Metlakatla has formed a lands committee to keep the community involved. When the Land Code begins to take shape, drafts are given to Members for comments.

**Q: Does the Land Code need community approval?**

A: Yes! The Land Code & Individual Agreement *MUST* be ratified by Metlakatla Members.

**Q: Are off-reserve Members involved?**

A: Yes, *ALL* Members 18 years or older, both on and off reserve have the right to vote on the Land Code and Individual Agreement.

**Q: What lands are involved?**

A: All of Metlakatla lands. There are 9 reserves which are held by Metlakatla. Treaty settlement lands will also come under the Land Code.

**Q: Will the land management powers extend to traditional Metlakatla territories?**

A: No. The land management powers only relate to reserves of Metlakatla.

**Q: Can Metlakatla make laws?**

A: Yes. Metlakatla Council will have the power to make laws in respect of the development, conservation, protection, management, use and possession.

**Q: What powers will Metlakatla have?**

A: All the powers of an owner in relation to its land, except control over title or the power to sell. Metlakatla will be able to lease or develop their land & resources, subject to Metlakatla law.

**Q: What happens to existing 3rd part interests?**

A: They will continue in effect according to their terms & conditions. If the landlord was the federal government, Metlakatla assumes the rights & obligations under the existing lease, so the tenant would pay directly to Metlakatla.

**Q: How will accountability to the Members be ensured?**

A: Land Code provisions are to be reported annually to Members on land management activities.

**Q: Can Metlakatla generate its own revenues?**

A: Yes. Revenues can be generated by leasing & granting rights & licenses in Metlakatla land. Metlakatla can also develop its own land directly & generate profit.

**Q: Is funding available to operate under a Land Code?**

A: Yes. Canada provides operational funding to manage land, to make, administer & enforce laws, to administer an environmental assessment & management processes.

**Q: How will the environment be protected?**

A: Metlakatla will have the power to make environmental laws.

**Q: Do Provincial Governments support this initiative?**

A: Yes. The provinces where the First Nations are located have given written support for this initiative.

**Q: How do we benefit from the Framework Agreement?**

A: For many reasons, including the following:

- Ability for Metlakatla to protect the environment
- Right to manage reserve land & resources
- Removal of Metlakatla lands from the Indian Act
- Inclusion of on & off reserve in important decisions
- Increased accountability to Members
- Land law making powers
- No need for Ministerial approval for Metlakatla laws
- & many more!!

**Don't see your question here?** Feel free to contact the Metlakatla Lands Department for more information at (250) 922 5010 or via email at [lands@metlakatla.ca](mailto:lands@metlakatla.ca).