



So I've heard about Land Code, but what is it? What actually goes into a Land Code?

WHAT IS LAND CODE?

- A **set of guidelines** for how reserve lands and resources are controlled and managed
- Written **by the First Nation**
- **Decreases Canada's management** of our reserve lands
- Requires **approval from the members** of the First Nation

MOVING AWAY FROM THE INDIAN ACT

- Creating a Land Code allows a First Nation to **opt out of the 32 land management sections of the Indian Act**
- A First Nation can **take over control and management of their reserve lands and resources** instead of having them be administered by the Federal government in Ottawa
- When done correctly, adopting a Land Code is a huge step forward on the **path to self-governance**

WHAT IS AN INDIVIDUAL AGREEMENT?

- Agreement that deals with:
 - **Reserve lands** to be managed by the First Nation
 - Specifics of the **transfer of the control** of land from Canada to the First Nation
 - **Money to be provided** by Canada to the First Nation for land management
- When this agreement is signed, the **Land Code officially replaces the land management sections of the Indian Act**

SO, WHAT GOES INTO A LAND CODE?

First Nations' Land Codes outline key areas required to assume full decision-making power over reserve lands and resources — it is VERY important that a Land Code developed and adopted by a First Nation is unique to the community:

- **Section 1: Preliminary Matters**

It's like the "housekeeping section" of a Land Code, which:

- Defines important words
- Protects the First Nation's rights
- Asserts the First Nation's authority to govern
- Describes what reserves are subject to the Land Code



- **Section 2: First Nation Legislation**

This section talks about how First Nations will go about making laws to govern our reserve lands and resources:

- **Who** will make laws
- **How** laws will be decided upon
- **Where** laws will be written and published
- **When** and how laws will take effect

- **Section 3: Community Approvals**

This section ensures that community engagement happens in a way that is fair and accessible, explaining:

- **Rights of eligible voters** (members)
- How and when **community engagement** must happen
- Steps involved with a member **meeting and vote**
- Types of laws and activities needing **community approval**

- **Section 4: Interests and Licenses in Land**

This section talks about the ways that individual people (members) can have legal “interests” in land. Interests are things like:

- Leases
- Licenses
- Permits
- Mortgages
- Certificates of Possession (CPs)

- **Section 5: Protection of Land**

This section helps make sure that our reserve lands and resources remain ours, and under our control, by talking about concerns like:

- Removal of reserve lands
- Heritage sites
- Voluntary land exchanges

- **Section 6: Land Administration**

This section talks about the “nuts and bolts” of how land would be managed day-to-day once Canada is no longer administering our land. It covers things like:

- Having an **Lands Management Committee**
- **Money earned from lands** through rent or fees
- **Keeping track of the “interests”** we talked about earlier

Land Code: Back to the Basics



• **Section 7: Accountability**

To make sure that leadership manages lands and resources clearly and openly, this section talks about things like:

- If a leader has a **conflicts of interest**
- Keeping **financial records**
- Having **regular audits**
- Making an **annual land management report**
- Allowing members to access information

• **Section 8: Dispute Resolution**

When big organizational changes happen in a community, disputes often happen. This section lays out steps to follow if land-related disputes happen and talks about things like:

- Having a **Dispute Resolution Panel**
- Making sure the panel is confidential and **impartial**
- Steps that the panel will follow in a dispute

• **Section 9: Other Matters**

In this section are the “odds and ends” of the Land Code, where matters (important, but not part of the other categories) are discussed. Things often covered here are:

- **Land-related insurance** that the Band should to pay
- What happens when **someone breaks the Land Code**
- How to **make changes to the Land Code**
- How and when the Land Code **takes effect**

LNIB's current Land Code draft and Individual Agreement draft are online!

You can check them out by visiting: www.lnib.net/land-code-vote. If you have any questions or comments about Land Code, contact our Land Code Champion Barbara Huston at landcodechampion@lnib.net or call the Band Office at **250-378-5157**.

PROUD TO BE
LNIB