



Membertou Individual Agreement Executive Summary

Membertou is a party to the *Framework Agreement on First Nation Land Management*. The federal government is also a party to the agreement and ratified it through the *First Nation Lands Management Act* on June 17, 1999.

The Agreement and legislation enable these First Nations to take over management and administration of their reserve lands from the Department of Indigenous and Northern Affairs Canada. In order to do this each First Nation must ratify their land code and then enter into an Individual Agreement with Canada.

As of the date the Land Code comes into force, the land management provisions of the Indian Act, as listed in the *Framework Agreement on First Nation Land Management* cease to apply and Canada retains no powers and obligations in relation to Membertou Land under these provisions and that Membertou shall commence governing Membertou Land pursuant to its Land Code.

Canada will remain liable for and will indemnify a First Nation for losses suffered as a result of any act or omission by Canada, or its agents, that occurred before the Land Code comes into effect.

On an annual basis, Canada shall provide Operational Funding in the amount of \$ 272,259 to Membertou with the Operational Funding Formula as amended from time to time. In addition to Operational Funding, Membertou will also receive Transitional and Environmental Funding. Membertou will receive one-time payments of \$75,000 for the first fiscal year and \$75,000 for the second fiscal year. Canada must transfer to Membertou any moneys it holds in trust for the use and benefit of Membertou and any revenues it receives from reserve lands. Canada will transfer to Membertou the amount of \$121,609.95 that is currently held in the Membertou Revenue & Capital Accounts.

Until Membertou establishes its own environmental assessment process, the *Canadian Environmental Assessment Act* will apply. The procedure for environmental assessments during this period is set out "Annex F". Standard formalities regarding amendment of the agreement, giving of formal notice and documentation.

Membertou Land Code Summary



The purpose of the Membertou Land Code is to set out the rules by which Membertou will exercise control over reserve lands, waters and resources. The Land Code has been developed by the community for the community and does not come into force UNLESS the members approve both the Land Code and the Individual Agreement.

Membertou will have the right to govern in matters integral to our culture, identity, traditions, language and with the respect to our relationship to the lands; this Land Code will be the fundamental Land law of Membertou.

The Land Code established Membertou's jurisdiction over all rights and resources in reserve lands, natural resources and land revenues. Lands under the Land Code are known as Sydney Indian Reserve No. 28A, Membertou Indian Reserve 28B and Caribou Marsh Indian Reserve No. 29. The community may make land laws respecting the reserve lands and resources subject to the Land Code. Members must be given notice before land laws are passed and be involved in the development or approval of certain types of land laws.

Certain land laws and other important land matters must be approved by the community before they come into effect. The Land Code and Framework Agreement protect against loss of reserve lands by surrender for sale and expropriation. Any interest or license in Membertou land that existed when this Land Code takes effect will continue in force.

The Land Code shall take effect if the community approves this Land Code and the Individual Agreement with Canada.

To learn more about the Membertou Land Code, please visit:

www.membertou-governance.com/membertou-land-code

or contact Cheryl Knockwood at: (902) 564-6466 ext. 2520

Email: cherylknockwood@membertou.ca

Upcoming Events

Thursday, May 30th 2019

Governance Committee Meeting

10:00 a.m. – 1:00 p.m.

MTCC Corner Office

Friday & Saturday, June 7th & 8th, 2019

LAND CODE IN-PERSON VOTE DAYS

9:00 a.m. – 8:00 p.m.

Membertou Trade & Convention Centre

Thursday, June 27th, 2019

Governance Committee Meeting

10:00 a.m. – 1:00 p.m.

Wallace Bernard Memorial Centre

Thursday, July 25th, 2019

Governance Committee Meeting

10:00 a.m. – 1:00 p.m.

Wallace Bernard Memorial Centre

Thursday, September 26th, 2019

Governance Committee Meeting

10:00 a.m. – 1:00 p.m.

Wallace Bernard Memorial Centre

NOTE: Above dates are subject to change.

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CONTACT INFORMATION

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