



# **SAGAMOK ANISHNAWBEK LANDS LAW 2015 GUIDE**

Prepared for Sagamok Anishnawbek  
Prepared by Nahwegahbow, Corbiere

# Sagamok Anishnawbek Vision

---

Sagamok Anishnawbek members have collective interests, rights and responsibilities to their lands and resources, both on Sagamok Anishnawbek reserve lands and off-reserve traditional territories. Sagamok Anishnawbek is entrusted to uphold these interests, rights and responsibilities in accordance with our past and present customs, traditions, and practices.

Sagamok Anishnawbek members have requested that Chief and Council support, initiate and complete a land law to evolve to a comprehensive land code based upon Sagamok Anishnawbek customs, traditions and practices. This Lands Law is drafted to be modernized for contemporary circumstances for the benefit of our future generations.

The Sagamok Anishnawbek Community Plan, 2013, it was reported and summarized:

“Sagamok faces various complex issues threatening the integrity of the land and water on both local and global scales. Presenting issues such as climate change and energy and food security can be addressed locally and on traditional areas through action on waste management, sensitive development, innovative design and controls that protect the health of the land and water.”

Developing a Lands Law will provide clarity around land ownership limits and will establish methods of how Sagamok Anishnawbek can physically grow as a community.



## Why should Sagamok Anishnawbek enact a Lands Law?

---

- A Lands Law is a foundational document that determines how the community will manage its reserve lands and resources.
- Eventually this law will evolve into a comprehensive land code that will replace the sections of the Indian Act that govern lands on reserve.
- This law was drafted with this in mind and was kept simple so that future Sagamok Anishnawbek laws can be added to compliment the law based on decisions and priorities from the community.

# FOUNDATIONS FOR ENACTING A LANDS LAW



- ✎ In order for Sagamok Anishnawbek to enact a Lands Law, the law needs to be created with community support and management.
- ✎ Community consultation is the first step in determining and addressing the needs of our First Nation with regard to law making.
- ✎ This is to ensure that the needs of Sagamok Anishnawbek are met with the historical beliefs, practices and traditions of our people.
- ✎ Sagamok Anishnawbek has opted to create laws that will be enforceable within its own community. The Lands law will be the foundational law that allows for Sagamok Anishnawbek to exercise control over their lands.

---

ENGAGEMENT AND CONSULTATION HAS TAKEN PLACE WITH COMMUNITY ELDERS OVER THE PAST YEAR.

**DRAFTED DOCUMENTS ARE NOW BEING PRESENTED TO THE COMMUNITY.**

---



# SAGAMOK ANISHNAWBEK LANDS LAW EXPLAINED

**THE FOLLOWING IS A PLAIN DESCRIPTION OF THE LANDS LAW:**

## PREAMBLE

This is the beginning section that discusses the rights you have to make your own laws and the community reasons behind how/why the Lands law is designed as a requirement and inclusiveness for the future of the community.

<b>Section 1: Interpretation and Application</b>	This section is about the name of the Law. Every Law has to have a ‘statute name’ which everyone refers to.
<b>Section 2: Interpretation</b>	This section provides definitions that explain descriptions of certain terms used for the purpose of the Law. Definitions help explain the terms and expressions within this specific law.
<b>Section 3 – 6: Application</b>	These sections cover who this Law is applicable to. These sections explain that this Law is for Sagamok lands, real property and resources. It also serves to establish that any future Sagamok laws will have to adhere to this law.
<b>Section 7-8: Purpose</b>	This section covers what the Lands Law purpose it.
<b>Section 9-10: Law Making Powers</b>	These sections enable Chief and Council to enact laws for protection and management of the environment; economic life, including commerce, labour, agriculture, hunting, trapping, fishing etc; operation of trades, businesses and professions; property rights, including succession and estates; provision of local services in relation to First Nation Land and the imposition of user charges; enforcement of First Nation Laws; and procedures and processes for the resolution of member disputes in relation to First Nation lands, real property and resources.
<b>Section 11: Amendments</b>	Any amendments to this law will have to receive approval at a community meeting and voted on through steps in Schedule A to this law.

<b>Section 12-13: Coming into effect</b>	The Lands Law will come into effect through the ratification process set out in Schedule A. Any interest in Sagamok Lands granted pursuant to the Indian Act will continue to have effect. For example, Certificates of Possession.
<b>Section 14: Severability</b>	Severability means that if one section of the law is found to be invalid, that section will be invalid but the rest of the law will stand.
<b>Sections 15-16: Singular and Headings</b>	Singular and headings clarify the laws applicability.
<b>Section 17: Coming into force</b>	This is the date it becomes Law in the community and is in force.
<b>Schedule A: Ratification Process for Lands Law</b>	This Schedule sets out in detail how the Lands Law and any future law are to be passed. Council will designate a Ratification Committee who will conduct the ratification process similar to an election. The ratification committee will be entrusted to draft an official voters list, run an information campaign, provide notification of the ratification vote, conduct the voting process and count the votes. If 50% of eligible voters who participate in the vote cast a ballot in favour of the Lands law, it will pass. In the event of a favourable vote on the Lands Law, council will pass a BCR adopting the law on behalf of Sagamok Anishnawbek.