

History of the Framework Agreement Amendments

Implications of the new legislation: Framework Agreement on First Nation Land Management Act (FAFNLMA) Webinar

February 9, 2023

In the chart below, you will see the history of the Framework Agreement Amendments.



Amendment No. 1

(May 12, 1998, prior to the enactment of the FNLMA in 1999)

- Adding St. Mary's First Nation (NB) as the 14th signatory party to the Framework Agreement

Amendment No. 2

(May 12, 1998 prior to the enactment of the FNLMA in 1999)

- This amendment introduced provisions requiring that First Nations establish a community process in its land code to develop rules and procedures, and enactment of laws regarding Matrimonial Real Property (MRP)

Amendment No. 3

(March 20, 2002) This amendment provided for the inclusion of new First Nations in addition to the original 14 First Nations as well as the following:

- Procedure for additional First Nations to sign the Framework Agreement
- Procedure for future amendments to the Framework Agreement
- The structure of the Lands Advisory Board (LAB)
- Other administrative matters (e.g. First Nation moving on to other self-government arrangements)

Amendment No. 4

(2006) It is important to note that as far back as 2002, the LAB made a commitment to have a bilingual Framework Agreement with bijural terminology.

- In 2005, the Essipit First Nation (Quebec) became a Framework Agreement signatory

- This 2006 amendment formalized the Framework Agreement as a bilingual document and reflecting bijural terms
- These new bijural provisions reflect Quebec's civil code concepts of land management

Amendment No. 5

(2010-11) This amendment provided that portions of Reserve could be excluded from Land Codes due to uncertain boundaries (s. 4.3), (portions of a reserve may not be excluded if the exclusion would place that reserve in more than one land management system).

- Certification of a Land Code (s. 10.1), (This ensures the Land Code & Individual Agreement are fully signed and approved when a Land Code comes into force)
- Environmental Management (s. 24):
 - Subject to funding Land Code First Nations will develop an environmental protection regime, with assistance of appropriate federal agencies if they agree to participate
 - Harmonization of environmental protection with Provinces if they agree to participate
 - Environmental standards and punishments will have at least the same effect as neighboring Provincial lands
 - Federal Environmental protection

Amendment No. 6

(2018)

- UNDRIP clause
- Changes to Voting Process
- Changes to the Role of the Verifier
- Expanded list of self-government law making powers
- Publishing land codes
- Limitation of liability for First Nation
- Indian Moneys
- First Nations Lands Registry
- Matrimonial Real Property
- Enforcement of laws
- Indian Act designations
- Additions to Reserve