



Law on Interests
in
Scugog Island Land

April 5, 2000

MISSISSAUGAS OF SCUGOG ISLAND FIRST NATION

The Chief and Council of the Mississaugas of Scugog Island First Nation, in accordance with the *Mississaugas of Scugog Island First Nation Land Management Code*, hereby enacts the following land law:

1. Title

Title

- 1 The title of this enactment is the *Law on Interests in Scugog Island Land*.

2. Interpretation

Definitions

- 1 In this Law, the following definitions apply:

“Land Code” means the *Mississaugas of Scugog Island First Nation Land Management Code*.

Other terms

- 2 Terms that are defined or used in the *Framework Agreement* and the Land Code have the same meaning in this Law, unless the context otherwise requires.

3. Interests, Licences and Consents

Standards

- 1 The Council may, by resolution, establish mandatory standards, conditions, criteria and prescribe forms for granting, transferring or assigning interests and licences in Scugog Island land.

Compliance with Standards

- 2 No person shall grant, transfer or assign an interest, licence or permit in Scugog Island land that does not comply with a mandatory standard, condition, criterion or form established by the Council,.

Authority to make dispositions

- 3 A resolution of the Council is required for the following actions of Council:
 - (a) an allocation of Scugog Island land to a member;
 - (b) a grant of an interest or licence in community lands,
 - (c) a grant of a permit to take resources from community lands;
 - (d) a consent to transfer an interest or licence in Scugog Island land.

Conditions

- 4 The Council may, by resolution, establish procedures for the actions referred to in section 3.3 and may make them subject to the satisfaction of written conditions. ¹

General rules

- 5 In accordance with the Land Code and for greater certainty,
 - (a) no community approval is required for the allocation of Scugog Island land to members;
 - (b) no community approval is required for the issuance of certificate of allocation to members; and
 - (c) a person who is not a member is not entitled to be allocated Scugog Island land or to hold a certificate of allocation.

4. Certificate of Allocation

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Issuance of
Certificate

- 1 The Council may issue a certificate of allocation to a member to whom it has allocated a parcel of Scugog Island land.

Signing a
Certificate

- 2 The Lands Manager may sign a certificate of allocation on behalf of the Council.

Nature of interest

- 3 Subject to the Land Code and to section 3, a certificate of allocation in respect of a parcel of Scugog Island land is an interest that entitles the member holding it to
 - (a) permanent possession of the land;
 - (b) benefit from the resources on the land and any revenue arising from the sale of those resources;
 - (c) grant subsidiary interests or licences in the land, including:
 - (i) leases not exceeding 25 years,
 - (ii) with consent of council, permits, easements and rights-of-ways;
 - (d) transfer, devise or otherwise dispose of the land to another member;
 - (e) with consent of council, grant permits to take resources from the land, including cutting timber or removing minerals, stone, sand, gravel, clay, soil or other substances; and
 - (f) any other rights, consistent with the *Land Code*, that are attached to certificates of possession issued under the *Indian Act*.

Continuation of
existing interests

5.0 For greater certainty a member holding a Certificate of Possession to First Nation lands issued by the Minister, pursuant to the relevant provisions of the *Indian Act* before the Land Code came into effect, has the same rights subject to the same conditions by virtue of that Certificate after the Land Code came into effect as attach to a Certificate of Allocation under this law.