

On November 26, 2018, the *Framework Agreement on First Nation Land Management (Framework Agreement)* Amendments #6 were finalized between the Lands Advisory Board, Operational First Nations and Minister Carolyn Bennett. Canada then brought the provisions of the *First Nations Lands Management Act* into alignment with the amended *Framework Agreement* through the passage of Bill C-86, Division 11. Royal Assent of Bill C-86 took place on December 13, 2018.

This amendment resulted in the inclusion of Capital Monies in addition to Revenue Monies, and therefore all First Nations Monies are transferred to Land Code First Nations (section 12 of *Framework Agreement*).

Capital Monies as well as Revenue Monies will automatically be transferred to new Land Code First Nations. Existing operational First Nations may request a transfer of their Capital Monies.

As an operational Land Code First Nation, in order to request the transfer of the funds held in the Capital Monies account, you may consider the following process:

- Advise Canada that your First Nation will be requesting the transfer
- Request that Canada provide the information on the amount of funds in the Capital Monies account
- Request that Canada prepare an amended individual agreement
- 30 days prior to amending the individual agreement, notify the members of the amount of the Capital Monies held by Canada and the intention of Council to amend the individual agreement to provide for the transfer of the Capital Monies
- Advise your Finance Department of the transfer
- Review and sign the amended individual agreement
- Submit a BCR to Canada to formally request the amended individual agreement to provide for the transfer of the Capital Monies:

“Whereas _____ First Nation exercises self-government over its lands in accordance with the Framework Agreement on First Nation Land Management.

Whereas _____ First Nation Council wishes to have its current and future capital monies transferred to the First Nation in accordance with clause 12.10 of the Framework Agreement which provides that Canada and a First Nation may agree to amend an Individual Agreement “to provide for the transfer of that First Nation’s capital monies collected, received or held by Canada for the use and benefit of the First Nation whether or not those monies are collected, received or held before the date of the amendment of the individual agreement, or from time to time thereafter”.

Whereas in accordance with clause 12.11 of the Framework Agreement _____ First Nation Council has, at least 30 days in advance of amending the Individual Agreement, “informed the members of the First Nation of the amount of capital monies held for the First Nation and the intention of Council to amend the individual agreement”.

Therefore _____ First Nation has on (_____ insert date_____) signed the attached amendment to the Individual Agreement and requests that Canada also sign the amendment without delay in order to trigger a transfer of its current and future capital monies.”