

**SUMMARY OF DRAFT #11 OF THE FINAL SELF GOVERNMENT AGREEMENT FOR
THE SAHTU DENE AND METIS OF NORMAN WELLS (SEPTEMBER 9, 2020)**

November 17, 2020

FSGA = Final Self Government Agreement

All capitalized terms in this Summary are as defined in the draft FSGA. For example:

“Citizen” means an individual who is a participant under the Sahtu Dene and Metis Comprehensive Land Claim Agreement (SDMCLCA) who has identified themselves as a member of the Norman Wells Land Corporation (NWLC) and, as such, will automatically be a Citizen of the Tłegóhłı Got’ıne Government under the Citizenship Law that will be enacted after the Effective Date under chapter 10. All such individuals are collectively the “Sahtu Dene and Metis of Norman Wells” and, as such, are one of the 5 Sahtu communities that have a right, under chapter 5 and Schedule B of the SDMCLCA, to negotiate self-government for their community.

“Effective Date” is the date on which the Act of Parliament ratifying the FSGA on behalf of Canada comes into force. Before that Act can be passed the Sahtu Dene and Metis of Norman Wells must have already ratified the FSGA voting in a referendum held under section 7.7.

The FSGA is broken into five Parts:

- Preamble (citing broad principles that underlie the FSGA)
- Part I (setting out the general provisions and provisions respecting ratification and implementation)
- Part II (describing the form of the Tłegóhłı Got’ıne Government and the Jurisdictions that Canada and the GNWT will recognize on the Effective Date; that is, an Aboriginal Government exclusively for the Sahtu Dene and Metis of Norman Wells)
- Part III (describing the form the Tłegóhłı Got’ıne Government and the Jurisdictions that Canada and the GNWT will recognize on the Transition Date; that is, the date on which it becomes a Public Aboriginal Government - similar to the Déline Got’ıne Government and the Tlicho community governments – a government for both the Sahtu Dene and Metis of Norman Wells and for all other residents of the Community of Norman Wells)
- Part IV (Schedules)

PREAMBLE

WHEREAS the Sahtu Dene and Metis of Norman Wells are an **aboriginal people of Canada**, within the meaning of the Constitution Act, 1982, with **the right to self-determination**;

[emphasis added]

Note: “Aboriginal people of Canada” refers to sections 25 and 25 of the Constitution Act, 1982 which provide:

25. The guarantee in this Charter of certain rights and freedoms shall not be construed so as to abrogate or derogate from any aboriginal, treaty or other rights or freedoms that pertain to the **aboriginal peoples of Canada** including

(a) any rights or freedoms that have been recognized by the Royal Proclamation of October 7, 1763; and

(b) any rights or freedoms that now exist by way of land claims agreements or may be so acquired.

35.(1) The existing aboriginal and treaty rights of the **aboriginal peoples of Canada** are hereby recognized and affirmed.

(2) In this Act, “**aboriginal peoples of Canada**” includes the Indian, Inuit and Métis peoples of Canada.

(3) For greater certainty, in subsection (1) “treaty rights” includes rights that now exist by way of land claims agreements or may be so acquired.

(4) Notwithstanding any other provision of this Act, the aboriginal and treaty rights referred to in subsection (1) are guaranteed equally to male and female persons.

[emphasis added]

Note: The “right to self-determination” invokes the *United Nations Declaration on the Rights of Indigenous Peoples*, (UNDRIP), in particular:

Article 3

Indigenous peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.

Article 4

Indigenous peoples, in exercising their right to self-determination, have the right to autonomy or self-government in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous functions.

[emphasis added]

WHEREAS in exercising their right of self-determination, the Sahtu Dene and Metis have the right to self-government in matters relating to their internal and local affairs, as well as the ability to finance their self-government functions;

Note: This is taken directly from Article 4 of UNDRIP; and is also a reference to Article 20:

Article 20

1. Indigenous peoples have **the right to maintain and develop their political, economic and social systems or institutions, to be secure in the enjoyment of their own means of subsistence and development, and to engage freely in all their traditional and other economic activities.**

2. **Indigenous peoples deprived of their means of subsistence and development are entitled to just and fair redress.**

[emphasis added]

WHEREAS the Government of Canada and the Government of the Northwest Territories recognize that the inherent right of self-government is an existing aboriginal right under section 35 of the Constitution Act, 1982;

Note: Canada and GNWT's underlying recognition that self-government is an "aboriginal right" under the Constitution Act, 1982

WHEREAS the Sahtu Dene and Metis Comprehensive Land Claim Agreement provides for the negotiation of self-government agreements by the Government of Canada, the Government of the Northwest Territories and Sahtu Dene and Metis communities;

Note: Canada and GNWT's underlying recognition that the five Sahtu Dene and Metis of Norman Wells identified in the SDMCLCA, including the Sahtu Dene and Metis of Norman Wells, have a treaty right to negotiate self-government for their respective communities.

WHEREAS **the Sahtu Dene and Metis of Norman Wells have determined that the Tłegóhłı Got'ıne Government, as set out in Part II, be established as a government** close to the community level as contemplated in the Sahtu Dene and Metis Comprehensive Land Claim Agreement;

[emphasis added]

Note: the Sahtu Dene and Metis of Norman have, themselves, already established the Tłegóhłı Got'ıne Government as their government, a government as contemplated in the SDMCLCA

WHEREAS it is the desire and intent of the Sahtu Dene and Metis of Norman Wells that there be provision for the future transition of the Tłegóhłı Got'ıne Government to an aboriginal public government as set out in Part III;

Note: the Sahtu Dene and Metis of Norman Wells (being a small percentage of the population of Norman Wells today, but anticipating that they may become a majority of the population of Norman Wells in the future) want to provide for the Tłegóhłı Got'ıne Government's transition from the exclusive Aboriginal government that they have already established, as described in Part II, to an public Aboriginal government (governing both the Sahtu Dene and Metis of Norman Wells and all other residents of Norman Wells) in the future, similar to the public Aboriginal governments in Déline and the Tlıcho communities.

WHEREAS the Government of Canada, the Government of the Northwest Territories and the Sahtu Dene and Metis of Norman Wells have negotiated this final self-government agreement to recognize the Tłegóhłı Got'ıne Government as set out in Part II, to provide for the future transition of the Tłegóhłı Got'ıne Government to the aboriginal public government as set out in Part III and to implement and **enable a government-to-government relationship** between the Tłegóhłı Got'ıne Government and Canada and the Tłegóhłı Got'ıne Government and the GNWT;

[emphasis added]

Note: "government-to-government relationship" is an invocation of Canada's Inherent Rights Policy. We understand it to be a recognition that just as the federal and provincial governments are the manifestation of the citizens of Canada's inherent right of self-government (although originally set out in a former statute of the Imperial Parliament in London) the Tłegóhłı Got'ıne Government is the manifestation of the Sahtu Dene and Metis of Norman Wells' inherent right of self-government. Neither are created by the other they are "Governments". This is to be contrasted with municipal governments which are created either by or under an Act of the Legislature of a Province or by or under the Cities, Towns and Villages Act of the Northwest Territories; neither of those are manifestations of their citizens/residents rights of self-government and are not "stand-alone" governments. That said, because it was agreed to in the SDMCLCA, GNWT is a Party to the FSGA and because it stands in place of a Province under its constituent Acts of Parliament, it will be treated as a "Government" along with Canada and the Tłegóhłı Got'ıne Government.

WHEREAS the Sahtu Secretariat Incorporated may transfer certain or all of the rights and powers of a Designated Sahtu Organization under 7.1.1 of the Sahtu Dene and Metis Comprehensive Land Claim Agreement to the Tłegóhłı Got'ıne Government;

Note: Since the SDMCLCA is the “senior” treaty and already provides land and financial rights to the participants, to ensure that the Tłegóhłı Got'ıne Government will be able to speak for the Sahtu Dene and Metis of Norman Wells respecting the land and financial rights in the SDMCLCA as well as respecting their self-government rights, it will have to take on the NWLC’s duties as a designated Sahtu organization under the SDMCLCA.

Note: The FSGA is currently drafted so that the NWLC will “roll-in” to the Tłegóhłı Got'ıne Government – the technical, legal language is that it will “amalgamate with the Tłegóhłı Got'ıne Government; cease to exist as a corporation . . . and continues with and as the Tłegóhłı Got'ıne Government”: section 8.1.2. So, in theory, since the NWLC is continuing as the Tłegóhłı Got'ıne Government, the Tłegóhłı Got'ıne Government should automatically become a designated Sahtu organization. But just to be safe, we’ll have to get SSI to make this designation, just as it did for the Déline Got'ıne Government when it took over the duties of the Déline Land Corporation. And, also just to be safe, we will be filing out the necessary forms with Industry Canada to ensure that NWLC is removed from their registry of *Canada Not-for-profit Corporations Act* corporations.

PART I – GENERAL

Chapter 1 – Definitions and Interpretation

Please see actual definitions in the document

Chapter 2 – General Provisions

- Canada and the GNWT will recognize the Tłegóhłı Got’ıne Government as the government of the Sahtu Dene and Metis of Norman Wells, a government with a “government to government relationship” with Canada and with the GNWT “within the constitutional framework of Canada”¹.
- The FSGA will be a treaty within the meaning of the *Constitution Act, 1982*, implements the inherent right to self-government of the Sahtu Dene and Metis of Norman Wells and the Sahtu Dene and Metis of Norman Wells agree that they will not exercise or assert any aboriginal or treaty right to self-government other than those rights set out in the FSGA, those rights that may be set out in the SDMCLCA and the rights respecting payment of teachers’ salaries to instruct Citizens who are Indians under Treaty No. 11²
 - Nothing in the FSGA removes from the Sahtu Dene and Metis of Norman Wells their identity as aboriginal people of Canada, their identity as "Indians", or subject to 2.7, their ability to participate in or benefit from any existing or future constitutional rights for aboriginal people which may be applicable to them.
 - The *Indian Act* will not apply to the Tłegóhłı Got’ıne Government or to Citizens except for its sections on wills and estates, and guardians and trustees, and its application to wills and estates and guardians and trustees will be reconsidered in 10 years.³
- Citizens of the Tłegóhłı Got’ıne Government who are Canadian citizens or permanent residents of Canada continue to be entitled to all of the rights and benefits of other Canadian citizens or permanent residents of Canada, applicable to them from time to time.⁴
- The Sahtu Dene and Metis of Norman Wells release Canada and the GNWT from all claims arising from any act or omission that may relate to or affect their aboriginal or treaty right to self-government.⁵
- Application of Laws⁶:

¹ Sections 2.1 and 2.4.2

² Sections 2.2, 2.4, and 2.8

³ Section 2.9

⁴ Section 2.5

⁵ Section 2.8.

- The *Canadian Charter of Rights and Freedoms* applies to Tłegóhłı Got’ıne Government, Institutions, and Laws.
- Federal Law and NWT Law apply in the Tulita/Norman Wells District; but the FSGA prevails over those laws if there is a conflict; just as the FSGA prevails over any the Tłegóhłı Got’ıne Government Law or the Tłegóhłı Got’ıne Government Constitution of there is a conflict; just as the SDMCLCA prevails over all those laws, if there is a conflict⁷.
- Unless otherwise provided in the FSGA, Tłegóhłı Got’ıne Government Law applies in the Norman Wells Administrative Area but does not apply to Canada or the GNWT.
- Tłegóhłı Got’ıne Government Law does not have to be published in Ottawa or Yellowknife.
- Nothing in the FSGA affects the inherent jurisdiction of the Supreme Court of the NWT.
- The Jurisdiction of the Tłegóhłı Got’ıne Government set out in the FSGA does not include:
 - Criminal law, including procedures in criminal matters;
 - Intellectual property;
 - Possession, use or regulation of firearms;
 - Labor relations and working conditions;
 - The official languages of Canada and the NWT; and
 - The certification, licensing, or regulation of occupations, trades, professions, professionals, professional organizations and societies except for those specified in the FSGA.
- When the Tłegóhłı Got’ıne Government exercises its “social jurisdictions” it will use standards compatible with the Core Principles and Objectives established by the GNWT for its own social jurisdictions in consultation with indigenous communities in 2009, as may be amended after consultation (CPO’s)⁸
- GNWT agrees that it will Consult with the Tłegóhłı Got’ıne Government before creating a new municipal government in the Norman Wells Administrative Area on lands other than Sahtu Settlement Lands (the SDMCLCA already provides that GNWT shall consult and get agreement before creating a new municipal government that would include Sahtu Settlement Lands)⁹.

⁶ Section 2.10

⁷ Section 2.12

⁸ Section 2.11

⁹ Section 2.7

Chapter 3 – Implementation

- The parties are, before the FSGA goes to its ratification vote, to establish an Implementation Committee and agreed upon a plan for implementing the FSGA over 10 years from the Effective Date. ¹⁰
- The Parties are also, in the course of these negotiations to agree upon a pre-Effective Date plan. ¹¹

Chapter 4 – Dispute Resolution

- The dispute resolution process is intended to assist the Parties in resolving disputes which may arise among the Parties regarding the interpretation, application, or implementation of the FSGA.
 - Parties shall first try to negotiate in good faith and attempt to resolve the dispute. ¹²
 - Then it shall move to a good faith mediation process. ¹³
 - If the dispute is still not settled, the Disputants may refer the issues to arbitration. The decision of the arbitrator is final and binding on the Parties. ¹⁴

Chapter 5 – Review and Amendment

- Any Party may request the review of any provision of the FSGA ¹⁵, but the others don't have to agree. ¹⁶
- The FSGA can be amended if all Parties agree in writing. ¹⁷

OS: the wording of the current 5.4 is under review. It is part of the OS issue about “Community of Norman Wells” and how to handle changes in the geographic area of the Town of Norman Wells made prior to the Transition Date.

¹⁰ Sections 3.1 and 3.2

¹¹ Section 3.5

¹² Section 4.1.6

¹³ Section 4.5

¹⁴ Section 4.6.12

¹⁵ Section 5.1

¹⁶ Section 5.1.3

¹⁷ Section 5.3

Chapter 6 – Transition to Aboriginal Public Government

- When the percentage of Citizens ordinarily resident in Norman Wells reaches at least 70% of the overall population of Norman Wells, the Tłegóhłı Got'ıne Government may pass a resolution requiring its transition to the aboriginal public government described in Part III. ¹⁸ Before that population threshold is reached, the Tłegóhłı Got'ıne Government may pass a resolution proposing its transition to the aboriginal public government described in Part III and Canada and the GNWT may agree. ¹⁹
- On the Transition Date the ²⁰:
 - Town of Norman Wells is dissolved;
 - Part III of the FSGA takes effect and the Tłegóhłı Got'ıne Government becomes the public government described in Part III; and
 - Part II of the FSGA is no longer in effect.
- Prior to the Transition Date, while there is still a Town of Norman Wells, section 6.1 is intended to provide a structure that within which the rights and interests of the Sahtu Dene and Metis of Norman Wells will be considered and respected when the Town exercises its municipal government powers. The structure in section 6.1.1 provides for three levels of contact between the Tłegóhłı Got'ıne Government and the Town. First there will be at least one meeting a year between the politicians – the Town Council and the Legislative Council of the Tłegóhłı Got'ıne Government. Second, there will be a committee with two members each from the Tłegóhłı Got'ıne Government and from the Town that will meet quarterly (or more) to discuss how Town bylaws and policies may affect the rights and interests of the Sahtu Dene and Metis of Norman Wells. Third, a representative of the Tłegóhłı Got'ıne Government has a right to attend all Town Council Meetings and make representations. Section 6.1 must be read together with section 6.2 which provides that, if the Town ignores the aboriginal and treaty rights of the Sahtu Dene and Metis in exercising its municipal powers the Tłegóhłı Got'ıne Government may take the issue to Yellowknife and force Consultation and with the GNWT which can, at the end of that Consultation, disallow the Town's bylaw or policies if they do indeed offend aboriginal or treaty rights.

Chapter 7 – Approval of AIP and Ratification of the FSGA

- When the chief negotiators for each of the Parties are prepared to recommend the FSGA to their principals for ratification, they shall initial the FSGA and submit the FSGA to their principals for consideration of ratification ²¹:

¹⁸ Section 6.3

¹⁹ Section 6.4

²⁰ Section 6.6

²¹ Section 7.1

- Ratification by the Sahtu Dene and Metis of Norman Wells ²²;
 - 50% + 1 of the eligible voters (members of the Norman Wells Land Corporation and at least 18 years old before the vote) included on the official voters list have approved the FSGA through a ratification vote by secret ballot
 - Signing of the FSGA by the President of Norman Wells Land Corporation.
- Ratification by the GNWT ²³; and
- Ratification by Canada. ²⁴
- Ratification Rules and Procedures providing for the holding of the necessary referendum by the Sahtu Dene and Metis of Norman Wells have been negotiated in a separate document.

²² Section 7.3

²³ Section 7.4

²⁴ Section 7.5

PART II – ABORIGINAL TĚGÓHLĪ GOT’INĚ GOVERNMENT ²⁵

Chapter 8 - TĚgÓhlĪ Got’InĚ Government

- On the Effective Date the NWLC will “amalgamate” with the TĚgÓhlĪ Got’InĚ Government and will cease to exist as a corporation and will “continue as” the TĚgÓhlĪ Got’InĚ Government.
- The structure of the TĚgÓhlĪ Got’InĚ Government consists of ²⁶:
 - An elected Legislative Council (between 5-9 members, including the Leader)
 - A Leader who is selected by and from the Legislative Council
 - A Justice Council (between 3-5 members, appointed by the Legislative Council for a term of 4 years or less)
 - The Legislative Council can also choose to appoint an Executive Committee (composed of the Leader and 1-5 individuals for a certain term)
- The TĚgÓhlĪ Got’InĚ Government may delegate any of its Jurisdictions to another government, body, or institution with the written agreement of Canada and the GNWT. ²⁷
- The TĚgÓhlĪ Got’InĚ Government can establish Institutions that may provide programs or services. ²⁸

²⁵ UNDRIP Articles 18, 20 and 33(2) provide:

Article 18

Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decision-making institutions.

Article 20

1. Indigenous peoples have the right to maintain and develop their political, economic and social systems or institutions, to be secure in the enjoyment of their own means of subsistence and development, and to engage freely in all their traditional and other economic activities.
2. Indigenous peoples deprived of their means of subsistence and development are entitled to just and fair redress.

Article 33

2. Indigenous peoples have the right to determine the structures and to select the membership of their institutions in accordance with their own procedures.

²⁶ Section 8.3

²⁷ Section 8.12

²⁸ Section 8.4

Chapter 9 – Elections for the Tłegóhłı Got’ıneę Government

- The Tłegóhłı Got’ıneę Government has Jurisdiction with respect to elections for the Government and for those Institutions whose members are elected. They will ensure elections are fair and open, conducted by secret ballot, provide for appeals, and ensure there are periodic elections no more than 5 years apart for all elected positions. ²⁹
- Eligibility to Vote and Nominate ³⁰:
 - Every Citizen who is a Canadian citizen is entitled to vote for and nominate candidates for the Government and Institutions that are elected (except for the Leader) ³¹
 - Age requirement of 16 years of age
 - Residency requirement in the Norman Wells Administrative Area that does not exceed 2 years
- Eligibility to Stand for Election ³²:
 - Every Citizen who is a Canadian citizen is eligible to stand for election to an office for the Government and Institutions that are elected (except for Leader)
 - Age requirement of 18 years of age
 - Residency requirement in the Norman Wells Administrative Area that does not exceed 2 years
- Section 9.4 and Schedule 9-1 currently provide that the first election for the Legislative Council of the Tłegóhłı Got’ıneę Government shall be held in accordance with the election rules of the Norman Wells Land Corporation sometime in advance of the Effective Date.

²⁹ Section 9.1

³⁰ Section 9.2

³¹ This exception exists because Citizens must first elect the members of the Legislative Council and the Legislative Council then selects the Leader from amongst their elected members.

³² Section 9.3

Chapter 10 – Citizenship³³

- The Tłegóhłı Got’ıne Government has Jurisdiction with respect to who is, or who may become, a Citizen.
- Members of the Norman Wells Land Corporation and eligible members immediately prior to the Effective Date have the right to become Citizens. However, no Citizen can:
 - Have citizenship under another aboriginal self-governance agreement in Canada (just like, under the SDMCLCA they cannot belong to two different Sahtu Land Corporations);
 - Be a member of another land corporation established under the SDMCLCA; or
 - Be on an *Indian Act* band list, other than the Tulita Dene Band, the Fort Good Hope Band or the Behdzi Ahda First Nation Band.

Note: the Déline Band ceased to exist as an *Indian Act* band when they ratified their FSGA; and the same will happen/or is expected to happen then these three remaining Sahtu bands ratify their FSGAs; but the members of all four Sahtu bands or former bands will continue to have “status” under the *Indian Act*, as will their children who satisfy the criteria set out in that Act.

³³ UNDRIP Articles 9, 33(1) and 35 provide:

Article 9

Indigenous peoples and individuals have the right to belong to an indigenous community or nation, in accordance with the traditions and customs of the community or nation concerned. No discrimination of any kind may arise from the exercise of such a right.

Article 33(1)

1. Indigenous peoples have the right to determine their own identity or membership in accordance with their customs and traditions. This does not impair the right of indigenous individuals to obtain citizenship of the State in which they live.

Article 35

Indigenous peoples have the right to determine the responsibilities of individuals to their communities.

Chapter 11 – Language, Culture, and Spirituality³⁴

- The Tłegóhłı Got'ıne Government has Jurisdiction in the Norman Wells Administrative Area with respect to the Sahtu Dene and Metis of Norman Wells:
 - Language and culture;
 - Spiritual practice, customs, and traditions;
 - Education, preservation, development, and promotion of the above; and
 - Certification, licensing, and regulation of individuals who teach the above.

³⁴ UNDRIP Articles 11(1), 12(1), 13(1) and 31(1) provide:

Article 11

1. Indigenous peoples have the right to practice and revitalize their cultural traditions and customs. This includes the right to maintain, protect and develop the past, present and future manifestations of their cultures, such as archaeological and historical sites, artefacts, designs, ceremonies, technologies and visual and performing arts and literature.

Article 12

1. Indigenous peoples have the right to manifest, practice, develop and teach their spiritual and religious traditions, customs and ceremonies; the right to maintain, protect, and have access in privacy to their religious and cultural sites; the right to the use and control of their ceremonial objects; the right to the repatriation of their human remains.

Article 13(1)

1. Indigenous peoples have the right to revitalize, use, develop and transmit to future generations their histories, languages, oral traditions, philosophies, writing systems and literature, and to designate and retain their own names for communities, places and persons.

Article 31(1)

1. Indigenous peoples have the right to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions, as well as the manifestations of their sciences, technologies and cultures, including human and genetic resources, seeds, medicines, knowledge of the properties of fauna and flora, oral traditions, literatures, designs, sports and traditional games and visual and performing arts. They also have the right to maintain, control, protect and develop their intellectual property over such cultural heritage, traditional knowledge, and traditional cultural expressions.

Chapter 12 – Traditional Healing³⁵

- The Tłegóhłı Got'ıne Government has Jurisdiction in the NWT with respect to ³⁶:
 - Traditional healing services;
 - Training of individuals providing the services;
 - Certification, licensing, and regulation of individuals who teach those services.
- This Jurisdiction does not include ³⁷:
 - Medical or health practices or practitioners requiring licensing or certification under Federal or NWT Law;
 - Products and substances that are regulated under Federal or NWT Law; or
 - Long term healthcare that is established, funded, and supervised by the GNWT.

Chapter 13 – Adult Education, Training, Post-Secondary Education, and Education Support Services

- The Tłegóhłı Got'ıne Government has Jurisdiction in the Norman Wells Administrative Area with respect to ³⁸:
 - Adult Education of Citizens;
 - Training of Citizens; and
 - Post-secondary education (may establish and regulate post-secondary education programs, services, and institutions established by the Tłegóhłı Got'ıne Government).

³⁵ As well as Article 31(1) in the previous footnote, see also UNDRIP Article 24

Article 24

1. Indigenous peoples have the right to their traditional medicines and to maintain their health practices, including the conservation of their vital medicinal plants, animals and minerals. Indigenous individuals also have the right to access, without discrimination, to all social and health services.
2. Indigenous peoples have an equal right to enjoyment of the highest attainable standard of physical and mental health. States shall take the necessary steps with a view to achieving progressively the full realization of this right.

³⁶ Section 12.1.1

³⁷ Section 12.1.2

³⁸ Section 13.1

- The Tłegóhłı Got'ıne Government may also establish Education Support Services in the NWT for Citizens, but must enter negotiations with GNWT to reach an agreement for the sharing of information on individuals receiving these services.³⁹

Chapter 14 – Early Childhood Education⁴⁰

- The Tłegóhłı Got'ıne Government has Jurisdiction in the Norman Wells Administrative Area with respect to⁴¹:
 - Early childhood education of Children of Citizens who are under the age of 6 years and who are not Students;
 - Childcare of Children of Citizens who are under the age of 12 years;
 - Regulation of facilities providing early childhood education and childcare; and
 - Certification of individuals providing early childhood education and childcare.
- The Tłegóhłı Got'ıne Government Law regarding early childcare education must have standards that are compatible with NWT core principles and objectives on this matter.⁴²

³⁹ Section 13.2

⁴⁰ UNDRIP provides in the preamble on page 3 and in Article 14:

“Recognizing in particular the right of indigenous families and communities to retain shared responsibility for the upbringing, training, education and well-being of their children, consistent with the rights of the child,”

Article 14

1. Indigenous peoples have the right to establish and control their educational systems and institutions providing education in their own languages, in a manner appropriate to their cultural methods of teaching and learning.
2. Indigenous individuals, particularly children, have the right to all levels and forms of education of the State without discrimination.
3. States shall, in conjunction with indigenous peoples, take effective measures, in order for indigenous individuals, particularly children, including those living outside their communities, to have access, when possible, to an education in their own culture and provided in their own language

⁴¹ Section 14.1

⁴² Section 14.2

Chapter 15 – Kindergarten to Grade 12 Education⁴³

- The Tłegóhłı Got'ıne Government has Jurisdiction in relation to ⁴⁴:
 - Kindergarten to grade 12 education of Students who are Citizens residing in the Norman Wells Administrative Area;
 - The certification of kindergarten to grade 12 teachers (must meet or exceed territorial standards; GNWT must consult with Tłegóhłı Got'ıne Government prior to proposing changes to NWT teacher certification standards ⁴⁵);
 - The development of the Curriculum Framework; and
 - Setting the requirements for grade 12 graduation.
- The Tłegóhłı Got'ıne Government may enter into agreements with a third party for the delivery of kindergarten to grade 12 education within the Norman Wells Administrative Area or for Students who are Citizens receiving this education outside the area. ⁴⁶
- All Citizens residing in the Norman Wells Administrative Area who are aged 5 years by December 31 of a school year and not older than 21 years, have access to kindergarten to grade 12 education, however the Tłegóhłı Got'ıne Government may create exemptions. ⁴⁷

Chapter 16 – Adoption⁴⁸

May change given “Bill C-92”, the now enacted *Act Respecting First Nations, Inuit and Metis Children, Youth and Families* SC 2019, c. 24, but this chapter currently provides:

⁴³ See previous footnote for references to UNDRIP on rights to education.

⁴⁴ Section 15.1

⁴⁵ Section 15.3

⁴⁶ Section 15.2

⁴⁷ Section 15.1.2 and .3

⁴⁸ UNDRIP provides in the preamble on page 3 and in Article 9:

“Recognizing in particular the right of indigenous families and communities to retain shared responsibility for the upbringing, training, education and well-being of their children, consistent with the rights of the child,”

Article 9

Indigenous peoples and individuals have the right to belong to an indigenous community or nation, in accordance with the traditions and customs of the community or nation concerned. No discrimination of any kind may arise from the exercise of such a right.

- The Tłegóhłı Got’ıne Government has Jurisdiction in the NWT with respect to the adoption of Children of Citizens. If a parent or guardian that has lawful custody of the Child is not a Citizen or resides outside the Norman Wells Administrative Area, then they must consent to the application of the Tłegóhłı Got’ıne Government Law.⁴⁹
- The Tłegóhłı Got’ıne Government Law regarding adoptions must meet standards compatible with NWT core principles and objectives on this matter.⁵⁰ Further, if the Tłegóhłı Got’ıne Government exercises Jurisdiction over adoption, they must reach an agreement with Canada and GWNT about what information will be shared, by and to whom and when it will be shared.⁵¹

Chapter 17 – Child and Family Services⁵²

May change given “Bill C-92”, the now enacted *Act Respecting First Nations, Inuit and Metis Children, Youth and Families*. . This chapter currently provides:

- Following the tenth anniversary of the Effective Date and at a time agreed to by the Parties, the Parties shall address the subject of Child and Family Services. Until then, the Tłegóhłı Got’ıne Government is the applicable aboriginal organization for the purposes of the *Child and Family Services Act* (NWT) and related regulations.

Chapter 18 – Income Support

- The Tłegóhłı Got’ıne Government has Jurisdiction in the Norman Wells Administrative Area with respect to Income Support for Citizens, however this does not include setting residency conditions in relation to being eligible for income support.⁵³
- The Tłegóhłı Got’ıne Government Law regarding Income Support must meet standards compatible with NWT core principles and objectives on this matter.⁵⁴ Further, if the Tłegóhłı Got’ıne Government exercises Jurisdiction over Income Support, they must reach an agreement with GWNT towards the sharing of information respecting the Citizens who are receiving Income Support.⁵⁵

⁴⁹ Section 16.1

⁵⁰ Section 16.2

⁵¹ Section 16.3

⁵² Again, UNDRIP provides in the preamble on page 3:

“Recognizing in particular the right of indigenous families and communities to retain shared responsibility for the upbringing, training, education and well-being of their children, consistent with the rights of the child,”

⁵³ Section 18.1

⁵⁴ Section 18.2

⁵⁵ Section 18.3

Chapter 19 – Social Housing

- The Tłegóhłı Got'ıne Government has Jurisdiction in the Norman Wells Administrative Area with respect to Social Housing for Citizens, however this does not include landlord tenant relations and building and construction codes. ⁵⁶
- The Tłegóhłı Got'ıne Government Law regarding Social Housing must meet standards compatible with NWT core principles and objectives on this matter. ⁵⁷ Further, if the Tłegóhłı Got'ıne Government exercises Jurisdiction over Social Housing, they must reach an agreement with GWNT towards the sharing of information. ⁵⁸

Chapter 20 – Guardianship and Trusteeship

- Following the tenth anniversary of the Effective Date and at a time agreed to by the Parties, the Parties shall address the subject of guardianship and trusteeship. Until then, any property of a Citizen that was under the administration of the Minister of Indian Affairs and Northern Development under the *Indian Act* on the Effective Date will continue to be administered under the *Indian Act*.

Chapter 21 – Wills and Estates

- Following the tenth anniversary of the Effective Date and at a time agreed to by the Parties, the Parties shall address the subject of wills and estates. Until then, any property of a Citizen that was under the administration of the Minister of Indian Affairs and Northern Development under the *Indian Act* on the Effective Date will continue to be administered under the *Indian Act*.

Chapter 22 – Marriage

- The Tłegóhłı Got'ıne Government has Jurisdiction in the Norman Wells Administrative Area with respect to the solemnization and regulation of marriage. A marriage solemnized in accordance with the Tłegóhłı Got'ıne Government Law can only be dissolved by a decree of divorce issued under the federal *Divorce Act* by a court of competent jurisdiction. ⁵⁹

Chapter 23 – Settlement Lands⁶⁰

⁵⁶ Section 19.1

⁵⁷ Section 19.2

⁵⁸ Section 19.3

⁵⁹ Section 22.1

⁶⁰ UNDRIP provides in Articles 26 and 28(1):

Article 26

- This chapter deals only with the Sahtu Settlement Parcels lying outside the Town of Norman Wells within the Tulita/Norman Wells District (north and west of the Administrative Line described in Schedule A below) title to which are all held by the Tulita District Land Corporation in trust for its Members/shareholder NWLC, the Tulita Land Corporation and the Fort Norman Metis Land Corporation. It does not deal with the Sahtu Settlement Parcels that are in the Decho but which are also held by Tulita District Land Corporation in trust for its Members/shareholders. And, it does not deal with the few parcels of Sahtu Municipal Land within the Town of Norman Wells that are still held by NWLC.
- The Tłegóhłı Got'ıne Government has Jurisdiction with respect to the use, management, administration, control, and protection of Settlement Lands in the Norman Wells Administrative Area, including:
 - Jurisdiction of a municipal nature in relation to the licensing of businesses, business activities and persons engaged in business on Settlement Lands;
 - Trespass on Settlement Lands;
 - Power to require that a person obtain a permit, license, or other authorization from the Sahtu Land and Water Board (as long as it doesn't conflict with federal or provincial law or the SDMCLCA);
 - Controlling or prohibit the transport, sale, manufacture, or use of weapons on Settlement Land.
- It does not include:
 - Matrimonial property, including matters relating to family property addressed in the *Family Law Act* (NWT); and

-
1. Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired.
 2. Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired.
 3. States shall give legal recognition and protection to these lands, territories and resources. Such recognition shall be conducted with due respect to the customs, traditions and land tenure systems of the indigenous peoples concerned.

Article 28

1. Indigenous peoples have the right to redress, by means that can include restitution or, when this is not possible, just, fair and equitable compensation, for the lands, territories and resources which they have traditionally owned or otherwise occupied or used, and which have been confiscated, taken, occupied or used and damaged without their free, prior and informed consent.

- The regulation of land, water, and the environment on Settlement Lands – this shall be carried out within the regulatory framework set out in the SDMCLCA, Federal Law and NWT law.

Chapter 24 – Gaming and Gambling

- No license or approval of gaming or gambling in the Norman Wells Administrative Area, excluding the area of Norman Wells other than Sahtu Municipal Lands, shall be issued without the written consent of the Tłegóhłı Got'ıne Government.

Chapter 25 – Liquor

This chapter is being expanded to include limited jurisdiction over sales of cannabis, just as it has limited jurisdiction over sales of liquor. The current chapters provides:

- The Tłegóhłı Got'ıne Government has Jurisdiction with respect to the prohibition or control of the sale, exchange, possession, or consumption of Liquor on Settlement Lands. This does not include:
 - Manufacture of liquor;
 - Importing or exporting of liquor into or out of the NWT; and
 - Distribution of liquor within the NWT.

Chapter 26 – Justice

- The Tłegóhłı Got'ıne Government has Jurisdiction to provide for the imposition and prosecution of sanctions, alternative measures, and extra judicial measures.⁶¹ They do not have Jurisdiction to⁶²:
 - Establish a police force, regulate police activities or appoint police or peace officers; or
 - Authorize the acquisition, possession, transport, carrying or use of a firearm, ammunition, prohibited weapon or prohibited device as these terms are defined in Part III of the *Criminal Code*.
- The GNWT is responsible for administering fines or terms of probation and imprisonment imposed by the Territorial Court of the NWT or the Supreme Court of the NWT for violations of Tłegóhłı Got'ıne Government Law while the Tłegóhłı Got'ıne Government is responsible for administering alternative sanctions and measures.⁶³

⁶¹ Section 26.2; 26.5

⁶² Section 26.3

⁶³ Section 26.9

- The sanctions imposed for a violation of Tłegóhłı Got’ıne Government Law shall not exceed ⁶⁴:
 - For a term of imprisonment or a fine for an individual, the greater of the term/fine imposed under the *Criminal Code* or NWT Law for summary conviction offences for which no specific punishment is provided;
 - For a fine for a corporation, \$10,000 or the amount set out in the *Criminal Code* or NWT Law for summary conviction offences for which no specific punishment is provided;
 - The Tłegóhłı Got’ıne Government may also provide for alternative sanctions that are consistent with the culture and values of the Sahtu Dene and Metis of Norman Wells, provided that they have the offenders consent.
- The Territorial Court of the NWT shall hear and determine a civil matter arising under Tłegóhłı Got’ıne Government Law. The Supreme Court of the NWT shall hear appeals of this court. The Tłegóhłı Got’ıne Government may also provide dispute resolution services as an alternative to litigation in civil matters if the parties to the dispute agree to use those services. ⁶⁵

Chapter 27 – Tłegóhłı Got’ıne Government Lands⁶⁶

- This chapter deals with, or should deal with all of the land and interests in lands currently held by NWLC. Because Sahtu Municipal Land is all held in fee simple title (although subject to the conditions set out in the SDMCLCA) our position should be that the FSGA does not need to draw any distinction between those few remaining lots within the Town and any other land held by NWLC in fee simple.
- The chapter provides On the Effective Date all land and interests in land held by the Norman Wells Land Corporation will be land held by and in which the Tłegóhłı Got’ıne Government has an interest; that land is not “reserve land” under the *Indian Act*.
- The Tłegóhłı Got’ıne Government shall not have to pay any Land Titles fees to get the titles transferred to it.

⁶⁴ Section 26.2

⁶⁵ Section 26.8

⁶⁶ See previous footnote under Settlement Lands for Articles 26 and 28(1) of UNDRIP

Chapter 28 – Taxation ⁶⁷

- The Tłegóhłı Got'ıne Government has Jurisdiction with respect to Direct taxation of Citizens within Norman Wells and within Settlement Lands in the Norman Wells Administrative Area, however this does not limit the taxation powers of Canada or the GNWT. ⁶⁸

Note: If the Tłegóhłı Got'ıne Government took this Jurisdiction it (1) could not set its tax rate lower than Canada's tax rate because Canada does not want the Tłegóhłı Got'ıne Government to be able to create a tax haven; and (2) the Tłegóhłı Got'ıne Government would not be able to tax its Citizens on what Canada and GNWT already tax them on. That is, the Tłegóhłı Got'ıne Government would only be able to tax its Citizens in areas that Canada or the GNWT have agreed to “vacate” and make “tax room” for the Tłegóhłı Got'ıne Government.

- Section 87 of the *Indian Act* has no application to a Citizen with respect to ⁶⁹:
 - Transaction taxes as of the first day of the first calendar year after the eighth anniversary of the Effective Date; and
 - All other taxes, as of the first day of the first calendar year after the twelfth anniversary of the Effective Date.

Note: This is a provision that appears in all self-government agreements, such as Déline's, and essentially provides that all status Indians who are Citizens will lose the exemption from GST for “property of an Indian on a reserve” 8 years after the

⁶⁷ UNDRIP sections 3, 4, and 20 may support a claim to tax immunity and provide:

Article 3

Indigenous peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.

Article 4

Indigenous peoples, in exercising their right to self-determination, have the right to autonomy or self-government in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous functions.

Article 20

1. Indigenous peoples have the right to maintain and develop their political, economic and social systems or institutions, to be secure in the enjoyment of their own means of subsistence and development, and to engage freely in all their traditional and other economic activities.
2. Indigenous peoples deprived of their means of subsistence and development are entitled to just and fair redress.

⁶⁸ Section 27.2

⁶⁹ Section 27.6

Effective Date; and, the tax exemption for income earned on a reserve 10 years after the Effective Date.

- It also, in section 28.3 and 28.4, by expressly providing that the transfer of assets to the Tłegóhłı Got'ıne Government under the FSGA (from NWLC) is not taxable and by restricting that one time exemption from taxation to the Tłegóhłı Got'ıne Government, confirms, without saying it, that the Tłegóhłı Got'ıne Government and its Institutions are taxable.

Chapter 28 – Financial Principles⁷⁰

- The language in the current draft #11 basically says that all three parties have a role in supporting the Tłegóhłı Got'ıne Government but it will all depend on what Canada's current fiscal policy is; and the "role" is not a legal obligation

⁷⁰ See UNDRIP Articles 3 and 4 and 39, which provides

Article 3

Indigenous peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.

Article 4

Indigenous peoples, in exercising their right to self-determination, have the right to autonomy or self-government in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous functions.

Article 39

Indigenous peoples have the right to have access to financial and technical assistance from States and through international cooperation, for the enjoyment of the rights contained in this Declaration.

PART III – ABORIGINAL PUBLIC TĚGÓHLĪ GOT’ĪNEĚ GOVERNMENT

NOTE: the resolution of the outstanding issues identified in Part II above will all result in similar changes being made in the equivalent chapters of this Part III dealing with the Jurisdictions of the public Aboriginal TĚgóhlĪ Got’ĪneĚ Government.

Chapter 30 - TĚgóhlĪ Got’ĪneĚ Government

- The structure of the TĚgóhlĪ Got’ĪneĚ Government consists of ⁷¹:
 - An elected Legislative Council
 - Composed of 4, 6, 8, or 10 members, plus the Leader
 - Members are elected by individuals resident in the Norman Wells Administrative Area for a term not exceeding 4 years
 - An elected Leader
 - Elected by Citizens for a term not exceeding 4 years
 - An elected Beneficiary Council
 - Composed of 5-9 Citizens who are participants under the SDMCLCA
 - Members are elected by Citizens, regardless of their place of residence for a term not exceeding 4 years
 - The Legislative Council can also choose to appoint an Executive Committee (composed of the Leader and 1-5 individuals for a certain term)
- The TĚgóhlĪ Got’ĪneĚ Government may delegate any of its Jurisdictions to another government, body, or institution with the written agreement of Canada and the GNWT. ⁷²
- The TĚgóhlĪ Got’ĪneĚ Government can establish Institutions that may provide programs or services. ⁷³

Chapter 31 – Elections for the TĚgóhlĪ Got’ĪneĚ Government

- The TĚgóhlĪ Got’ĪneĚ Government has Jurisdiction in the Norman Wells Administrative Area with respect to elections for the Government and for those Institutions whose members are elected. They will ensure elections are fair and open, conducted by secret ballot, provide for appeals, ensure there

⁷¹ Section 30.3

⁷² Section 30.12

⁷³ Section 30.4

are periodic elections no more than 5 years apart for all elected positions, and provide that any residency requirements do not exceed 2 years. ⁷⁴

- Eligibility to Vote and Nominate ⁷⁵:
 - Every Canadian citizen, who has met a residency requirement in the Norman Wells Administrative Area that does not exceed 2 years, is entitled to vote for and nominate candidates for election to an elected office of the Government and any elected Institutions (except for the office of Leader);
 - Every Citizen, who is a Canadian citizen, who has met a residency requirement in the Norman Wells Administrative Area that does not exceed 2 years, is entitled to vote for and nominate candidates for election to the office of the Leader;
 - Every Citizen, who is a Canadian citizen and regardless of their place of residence, is entitled to vote for and nominate candidates for election to the Beneficiary Council.
 - The Tłegóhłı Got'ıne Government may provide for additional restrictions on an individual's entitlement to vote for and nominate candidates, including an age requirement of 18 years.
- Eligibility to Stand for Election ⁷⁶:
 - An individual is entitled to stand for an elected office of the Government or any elected Institutions if that individual is entitled to vote for and nominate candidates for election under section 30.2 (see above)
 - The Tłegóhłı Got'ıne Government may provide for additional restrictions on an individual's entitlement to stand for election. They may also make all individuals entitled to vote under section 30.2 entitled to stand for election as Leader and vote for the Leader.
- If the percentage of Citizens ordinarily resident in Norman Wells relative to the overall population of Norman Wells is ⁷⁷ :
 - Less than 75%, Tłegóhłı Got'ıne Government Law may require that where the total number of seats on the Legislative Council is:
 - 5, up to 3 seats shall be held by Citizens,
 - 7, up to 4 seats shall be held by Citizens,
 - 9, up to 5 seats shall be held by Citizens,

⁷⁴ Section 31.1

⁷⁵ Section 31.2

⁷⁶ Section 31.3

⁷⁷ Section 31.4

- 11, up to 6 seats shall be held by Citizens.
- 75% or greater, Tłegóhł Got'ine Government Law may require that where the total number of seats on the Legislative Council is:
 - 5, up to 3 seats shall be held by Citizens,
 - 7, up to 4 seats shall be held by Citizens,
 - 9, up to 6 seats shall be held by Citizens,
 - 11, up to 7 seats shall be held by Citizens.
- 85% or greater, Tłegóhł Got'ine Government Law may require that where the total number of seats on the Legislative Council is:
 - 5, up to 3 seats shall be held by Citizens,
 - 7, up to 5 seats shall be held by Citizens,
 - 9, up to 6 seats shall be held by Citizens,
 - 11, up to 8 seats shall be held by Citizens.

▪

Chapter 32 – Citizenship (same as Chapter 10)

Chapter 33 – Language, Culture, and Spirituality (same as Chapter 11)

Chapter 34 – Traditional Healing (same as Chapter 12)

Chapter 35 – Adult Education, Training, Post-Secondary Education, and Education Support Services (same as Chapter 13, except, the jurisdiction to provide Education Support Services is no longer restricted to Citizens)

Chapter 36 – Early Childhood Education

The same as chapter 14 except no longer restricted to children of Citizens⁷⁸:

⁷⁸ Section 36.1

Chapter 37 – Kindergarten to Grade 12 Education

The same as chapter 15 except no longer restricted to children of Citizens⁷⁹:

Chapter 38 – Adoption

See chapter 16; but it currently provides:

- The Tłegóhłı Got'ıne Government has Jurisdiction with respect to the adoption of Children of Citizens in the NWT and Children of residents of the Norman Wells Administrative Area. If a parent or guardian that has lawful custody of the Child is not a Citizen or resides outside the Norman Wells Administrative Area, then they must consent to the application of the Tłegóhłı Got'ıne Government Law.⁸⁰
- The Tłegóhłı Got'ıne Government Law regarding adoptions must meet standards compatible with NWT core principles and objectives on this matter.⁸¹
- If the Parties have addressed the subject of information sharing regarding the adoption of Children of Citizens under NWT Law and reached agreement under 16.3.2, this chapter shall be amended in accordance with the Parties' agreement.⁸²

Chapter 39 – Child and Family Services

See chapter 17;but it currently provides:

- If the Parties have addressed the subject of Child and Family Services under Chapter 17 and reached agreement, this chapter shall be amended in accordance with the Parties' agreement.
- If the Parties have not addressed the subject of Child and Family Services prior to the Transition Date then following the tenth anniversary of the Effective Date and at a time agreed to by the Parties, the Parties shall address the subject. Until then, the Tłegóhłı Got'ıne Government is the applicable aboriginal organization for the purposes of the *Child and Family Services Act* (NWT) and related regulations.

Chapter 40 – Income Support

See chapter 18

⁷⁹ Section 37.1

⁸⁰ Section 38.1

⁸¹ Section 38.2

⁸² Section 38.3

Chapter 41 – Social Housing

- The Tłegóhłı Got'ıne Government has Jurisdiction in the Norman Wells Administrative Area with respect to Social Housing, however this does not include landlord tenant relations and building and construction codes.⁸³
- The Tłegóhłı Got'ıne Government Law regarding Social Housing must meet standards compatible with NWT core principles and objectives on this matter.⁸⁴ Further, if the Tłegóhłı Got'ıne Government exercises Jurisdiction over Social Housing, they must reach an agreement with GWNT towards the sharing of information.⁸⁵

Chapter 42 – Guardianship and Trusteeship

- If the Parties have addressed the subject of guardianship and trusteeship under Chapter 20 and reached agreement, this chapter shall be amended in accordance with the Parties' agreement.
- If the Parties have not addressed the subject of guardianship and trusteeship prior to the Transition Date then following the tenth anniversary of the Effective Date and at a time agreed to by the Parties, the Parties shall address the subject. Until then, any property of a Citizen that was under the administration of the Minister of Indian Affairs and Northern Development under the *Indian Act* on the Transition Date will continue to be administered under the *Indian Act*.

Chapter 43 – Wills and Estates

- If the Parties have addressed the subject of wills and estates under Chapter 21 and reached agreement, this chapter shall be amended in accordance with the Parties' agreement.
- If the Parties have not addressed the subject of wills and estates prior to the Transition Date then following the tenth anniversary of the Effective Date and at a time agreed to by the Parties, the Parties shall address the subject. Until then, any property of a Citizen that was under the administration of the Minister of Indian Affairs and Northern Development under the *Indian Act* on the Effective Date will continue to be administered under the *Indian Act*.

Chapter 44 – Marriage

See chapter 22

Chapter 45 – Settlement Lands

See chapter 23

⁸³ Section 41.1

⁸⁴ Section 41.2

⁸⁵ Section 41.3

Chapter 46 – Land Transfers to the Tłegóhłı Got’ıne Government

- Town and GNWT Lands vested, granted or transferred under this chapter and appendix 45-1 (to be identified no later than 120 days before the Transition Date) are not lands reserved for the Indians within the meaning of the *Constitution Act, 1867* or reserves within the meaning of the *Indian Act*.⁸⁶
- The Tłegóhłı Got’ıne Government will not pay any Land Titles fees to have the titles transferred to it.

Chapter 47 – Local Services

- The Tłegóhłı Got’ıne Government has Jurisdiction of a municipal nature in Norman Wells , just like the Town, with respect to⁸⁷:
 - Programs, services, and facilities provided by or on behalf of the Tłegóhłı Got’ıne Government, including sewers, drainage systems, water distribution and supply, garbage and waste, ambulance services, and recreation;
 - Land use planning, zoning and subdivision control;
 - Licensing of businesses, business activities, and persons engaged in business;
 - Local transportation systems including buses and taxis;
 - Domestic animals and activities in relation to them;
 - Public nuisances and unsightly property;
 - Community roads, except primary highways as defined in the *Public Highways Act*;
 - The operation of all-terrain vehicles, such as vehicles defined in the *All-terrain Vehicles Act*, except on primary highways as defined under the *Public Highways Act*;
 - The purchase and acquisition of real property by the Tłegóhłı Got’ıne Government and the sale, lease, disposition, use, holding, or development of Tłegóhłı Got’ıne Government real property;
 - A community flag, crest and coat of arms;
 - The health, safety, and welfare of people and the protection of people and property;
 - People, activities and things in, on, or near a public place, or place that is open to the public, including the imposition of curfews; and

⁸⁶ Section 46.3

⁸⁷ Section 47.1.1

- Granting utility franchises.
- The Tłegóhłı Got'ıne Government has Jurisdiction and Authority within Norman Wells that are the same as the Jurisdictions and Authorities of municipalities under NWT Law in relation to ⁸⁸:
 - Fire protection and prevention;
 - Emergency preparedness and emergency measures;
 - Motor vehicles;
 - Expropriation of interests in lands;
 - Property assessment and property taxation; and
 - Any other matter that may be provided for in NWT Law not addressed in section 46.1.1.
- The Jurisdiction of the Tłegóhłı Got'ıne Government set out in sections 46.1.1. and 46.1.3 does not include ⁸⁹:
 - Establishing a land titles system;
 - Consumer protection;
 - Regulation of utilities;
 - Occupational health and safety; and
 - Expropriation of mines and minerals.
- The Tłegóhłı Got'ıne Government Laws made under 46.1.1 and 46.1.3 shall provide for health and safety standards and technical codes regarding public works, community infrastructure and local services that are at least equivalent to federal and NWT health and safety standards and technical codes. ⁹⁰

Chapter 48 – Gaming and Gambling

- No license or approval of gaming or gambling in the Norman Wells Administrative Area shall be issued without the written consent of the Tłegóhłı Got'ıne Government.

⁸⁸ Section 47.1.3

⁸⁹ Section 47.1.6

⁹⁰ Section 47.2

Chapter 49 – Liquor and Intoxicants

See chapter 25, extends same limited jurisdiction over what is now the Town of Norman Wells.

Chapter 50 – Justice

See chapter 26

Chapter 51 – Taxation

See chapter 28

Chapter 52 – Financial Principles

See chapter 29

PART IV - SCHEDULES

Schedule A - Description of the Administrative Line

See document for actual description.

Starting on March 26, 2013 there was a joint meeting of the self-government negotiating teams from Tulita, Norman Wells, Canada and the GNWT to discuss possible overlap issues that might arise in the Norman Wells self-government negotiations and the Tulita self-government negotiations; and, following that meeting we met twice with members of the Tulita Yamoria Community Secretariat (the negotiating team appointed by the Tulita Dene Band and its Land Corporation and by the Fort Norman Metis and their Land Corporation), and after at least one further meeting on October 27, 2014 and agreement was signed drawing this line through the District, using Vermillion Creek on the Mackenzie River as the starting point; going north to the District boundary with Déline and going south and west to the Yukon border. This would, as agreed, be a purely administrative line be used to identify the territorial reach of the programs and services of the Tłegóhłı Got'ıne Government within the Sahtu and the territorial reach of the programs and service of the proposed Tulita Yamoria Government.

Schedule A-1 - Map of Norman Wells Administrative Area

Schedule B - Geographic Area of the Community of Norman Wells

Schedule B-1 - Illustrative Map of the Community of Norman Wells

Schedule C - Tulita/Norman Wells District

Schedule C-1 - Map of Tulita/Norman Wells District