

## **FREQUENTLY ASKED QUESTIONS**

### **SELF-GOVERNMENT**

**Q What is self-government?**

**A** We are the Dene and Metis of Norman Wells, the Tłeghłı́ Got'ı́ne, the "People Where The Oil Is".

Our Dene ancestors living in the lands on both sides of the River between the Franklin and Mackenzie mountains, around what is now called Norman Wells, made all of the decisions needed to govern themselves within their community and their use of their lands.

In the 1900's the power to make those decisions was taken away from our ancestors. Those decision were made for the Dene and Metis of Norman Wells by the government of Canada (Canada) and sometimes by the government of the Northwest Territories (GNWT) and sometimes by the town of Norman Wells. (the Town).

In 1993 the Sahtu Dene and Metis Comprehensive Land Claim Agreement (our Land Claim) gave us back our ancestors' power to make decisions necessary to use and protect our land.

Self-government will give us back our ancestors' power to make decisions necessary to govern ourselves as the Dene and Metis of Norman Wells.

**Q. What is a "self-government agreement"?**

**A** The Canadian Encyclopedia defines "Aboriginal self-government" as:

"... the formal structure through which Indigenous communities may control the administration of their people, land, resources and related programs and policies, through agreements with federal and provincial governments."

Our self-government agreement will be an agreement between the Sahtu Dene and Metis of Norman Wells and Canada and the Northwest Territories.

It will list the kinds of decisions that we will be able to make for ourselves.

It will also recognize that some of the decisions that our ancestors made for themselves are, in 2017, made for all Canadian citizens residing in the Northwest Territories by the government of Canada (Canada) and the government of the Northwest Territories (GNWT).

For Example: We will decide who is and can become a member of the Dene and Metis of Norman Wells and who our leaders are, without interference by any other Canadian government.

Canada will continue to decide what are crimes and how crimes are to be prosecuted in the Courts.

GNWT will continue to decide how to allocate health care services across the NWT and to set common standards for providing social services across the NWT.

Without a "Self-Government Agreement", if anyone breaks one of our laws and we have to go to Court to prosecute them and the first thing we would have to prove to the Court is that our ancestors had the power to make the kind of law that was broken. For example, if the law that was broken was an adoption law we would have to prove to the Court that our ancestors had the power to decide how anyone could be adopted into the Tłeghłı Got'ıneę. Proving what our ancestors did in the 1700's and 1800's could be very expensive; and we would have to do that every time we have to go to Court to enforce our laws. A "Self-Government Agreement" that clearly lists all of our decision-making powers avoids all that expense.

And, if we all vote in favour of the Final Self-Government Agreement, that Agreement will be a Treaty, protected under section 35 of the Canadian Constitution Act, 1982 just like our Land Claim and Treaty No. 11 are constitutionally protected by section 35.

**Q. What will self-government do for me?**

**A** What self-government will not do is it will not change your rights under our Land Claim. It will not change the protection of your Aboriginal and Treaty rights under section 35.

What it will do is build on your rights by defining our community's power to make laws, to take over and provide programs and services that are important to the Dene and Metis of Norman Wells, and to preserve and protect our language and culture within the modern community of Norman Wells and within the Sahtu Settlement Area.

**Q. How will self-government work?**

**A** We have proposed calling our self-government the **Tłeghłı́ Got'ı́ne Government**, the Government Of The People Where The Oil Is, or the TGG for short.

All members of the Norman Wells Land Corporation will be Tłeghłı́ Got'ı́ne Government Citizens and they will elect the members of the Tłeghłı́ Got'ı́ne Government, using our own election rules.

The Tłeghłı́ Got'ı́ne Government will then make the decisions for the Dene and Metis of Norman Wells. Just like the Norman Wells Land Corporation, under the Land claim, now makes some of the decision that our ancestors made to protect and use the land.

**Q. Why would we want to make our own membership rules?**

**A** Just like Canada decides who is and can become a part of the larger Canadian community as a Landed Immigrant and as a Canadian Citizen, our ancestors decided who would be welcomed into and become a part of the Dene and Metis community through custom adoption and custom acceptance.

But under the old *Indian Act* that power was taken away and Canada told many women and men of Dene ancestry that they and their children were not "Indian" refused to recognize that they had any aboriginal rights.

Taking back control of who is and can become part of the Dene and Metis of Norman Wells is a big step in taking back control over who we are.

**Q. Who would make our membership rules?**

**A** You would.

You would elect the members of the Legislative Council of the Tłeghłı́ Got'ı́ne Government and the Legislative Council would then pass a Tłeghłı́ Got'ı́ne Government Citizenship Law.

And, the Legislative Council must only pass laws in keeping with the general principles, customs and traditions of the Dene and Metis of Normans Wells that you choose to put into the Tłeghłı́ Got'ı́ne Constitution. The Tłeghłı́ Got'ı́ne Constitution is another self-government document that only you can ratify and only you will be able to amend.

**Q. Does TGG have to take on this or any of the other decision-making power listed in the AIP?**

**A** No.

Everyone who is a member or who is entitled to become a member of the Land Corporation will automatically be a TGG Citizens unless the Legislative Council passes a Tłeghłı́ Got'ı́ne Government Citizenship Law.

And those TGG Citizens will elect the first Legislative Council using the election rules we use to elect the Directors of the Land Corporation. Thereafter, the Legislative Council needs to pass a Tłeghłı́ Got'ı́ne Government Election Law then it decides which other decision-making powers should be "drawn-down" to benefit our community. And, it decides

when to take over any existing programs and services that fall under the powers it has chosen to draw-down.

**Q. Does the Adoption jurisdiction affect our custom adoptions? And, if so, How?**

**A** Yes, but only if your elected Legislative Council passes a Tłeghłı Got'ıne Government Adoption Law that changes your existing, but unwritten adoptions customs.

If that Adoption Law only writes down how the Sahtu Dene and Metis of Norman Wells have traditionally adopted children, then the only change will be that your adoption customs rules will have been written down.

But if that Adoption Law also requires, for example, that you register with the TGG the name and age of your custom-adopted child, then your custom adoption rules will have changed to include that requirement.

**Q. Does the business licensing jurisdiction apply to existing businesses operating on or over settlement lands? Or are they grandfathered?**

**A** Yes, the business licensing jurisdiction applies to existing business operating on settlement lands.

Existing businesses should not be "grandfathered" because, under 23.2.2 and 44.2.2, the Tłeghłı Got'ıne Government Business Licensing Law expressly prevails over any federal or NWT business licensing law that might have applied.

**Q. Would self-government change my rights under the Land Claim Agreement?**

**A** No.

**Q. How will anyone know we have self-government rights? Who will remind GNWT when it passes laws?**

**A** That will be the job of the Tłeghłı́ Got'ı́neᑕ Government.

Before the Final Self-Government Agreement comes into force:

1) you must vote in favour of it; and

2) both Canada and the GNWT must pass laws ratifying it.

Once that happens it will be a Treaty protected by section 35 of the Canadian Constitution Act, 1982.

Also, Canada and the GNWT will still have a common law duty to consult with the Dene and Metis of Norman Wells by consulting with the Tłeghłı́ Got'ı́neᑕ Government.

**Q. Why are our settlement lands in the "Tulita District" instead of in the "Tulita – Norman Wells District"?**

**A** The Land Claim does not name any districts within the Sahtu Settlement Area. Our settlement lands are shared by the Norman Wells Land Corporation, the Tulita Land Corporation and the Fort Norman Metis Land Corporation and they are located within the part of the Sahtu Settlement Area that has come to be called the "Tulita District". But it should be called the "Tulita – Norman Wells District" . We have asked the Sahtu Secretariat Inc. to make this change to their documentation.

**Q. How does the "District Management Agreement" describe the District and its purpose?**

**A** The name of the Agreement is the "Fort Norman/Norman Wells District Land Agreement" and one of the parties to the Agreement is the "Tulita District Land Corporation". Other than that the Agreement does not refer to the "District" or the District's purpose.

**Q. What are the taxes referred to in the Tax Chapter?**

**A** "Direct Taxes" are taxes on things that the taxpayer pays directly to the government. Examples are income tax and property taxes.

"Indirect Taxes" are taxes that the taxpayer pays indirectly. An example is GST, where the store adds the tax to the price they charge you and then pays the government the GST on your behalf.

Section 87 of the *Indian Act* (Canada) exempts Status Indians from paying tax on their personal property if that property is on an Indian Reserve. For example, a Status Indian who lives and works on a Reserve for a First Nation that Canada recognizes as an *Indian Act* band, does not have to pay tax on the income earned because it is on a Reserve. Also, any Status Indian who buys gas from a store on a Reserve does not pay GST or provincial/territorial gas taxes.

**Q. Why is the Tax Chapter so complicated?**

**A** Because it is a legal document intended to protect the Tłeghłı Got'ıne Government, Canada and the GNWT by defining the legal obligations of each of the governments by making it clear to the Courts who may have to decide any tax disputes between the Tłeghłı Got'ıne Government, Canada and the GNWT.

**Q. Will I pay more taxes?**

Most of us do not live on an Indian Reserve or near an Indian Reserve so most of us are already paying income tax to Canada and to the GNWT or the province in which we live. Most of us are already paying GST too. So self-government will not mean you pay more taxes.

However, if you are a Status Indian, registered in Ottawa under the Indian Act (Canada), and you do not pay some or any taxes, that will change over 10 years.

Under the Tax Chapter, you will start paying GST 8 years after the Final Self-Government Agreement is ratified and you will start paying income taxes 10 years after the Agreement is ratified.

Status Indian members of self-governing aboriginal communities like the Tlicho, the people of Délı̨nę and other self-governing First Nation communities across Canada, have all lost or will lose their *Indian Act* (Canada) exemption from Canadian and provincial/territorial taxes because the *Indian Act* (Canada) no longer applies to those communities.

**Q. Will those of us who are Status Indians still be Status Indians?**

Yes.

Tłeghłı̨ Got'ı̨nę Government Citizens who qualify to be Status Indians under the *Indian Act* (Canada) will continue to be able to register under the *Indian Act* (Canada). As Status Indians they will qualify for any government program intended for Status Indians as long as the Tłeghłı̨ Got'ı̨nę Government has not obtained funding from Canada to deliver that program directly to TGG Citizens.