



Lands Committee

Terms of Reference

April 01, 2017

1.0 Statement:

- 1.1. The Authority of Mistawasis Nêhiyawak to govern and administer its lands and resources flows from the Creator to the Members of the First Nation, and from the Members to the Chief and Council according to the culture, traditions, customs and laws of the First Nation;
- 1.2. On December 12, 2013, Mistawasis Nêhiyawak adhered to the *Framework Agreement on First Nation Land Management* between Her Majesty and a specific group of First Nations which was concluded February 12, 1996, as amended, and which was ratified on behalf of the Government of Canada by the *First Nations Land Management Act*;
- 1.3. On January 16, 2017, Mistawasis Nêhiyawak Membership held a ratification vote, pursuant to the *First Nations Land Management Act*. The Ratification vote approved the *Mistawasis Land Code* and Individual Agreement;
- 1.4. Clause 48.2 of the *Mistawasis Land Code* states: **“This Land Code shall take effect on the first day of the month following the certification of this Land Code by the Verifier”**. On March 9, 2017, Verifier Dave Hoffman certified the *Mistawasis Land Code*. April 01, 2017 is the date that the *Mistawasis Land Code* takes effect;
- 1.5. Part 5 Section 26 of the *Mistawasis Land Code* gives authority to the Chief and Council to establish a Lands Committee consisting of 5 Eligible Voters.

2.0 Name of Lands Committee:

- 2.1 The name of the Lands Committee shall be the **Mistawasis Nêhiyawak Lands Committee**.

3.0 Purpose:

- 3.1 The Lands Committee is established, authorized and directed to:
 1. Make recommendations or comments to the Council on matters related to lands, including the passing of Land Laws and Resolutions and creation, granting, disposal, assigning or transferring of Interests or Licences in First Nation Land;
 2. Assist with the development of land administration system;
 3. Advise and make recommendations to the Council and its staff on matters respecting First Nation Land;
 4. Make written recommendations to the Council on allocation of residential lots to Members;

5. Recommend Land Laws, resolutions, policies and practices respecting First Nation Land to the Council;
6. Hold regular and special meetings to Members to discuss First Nation Land issues and make recommendations to Council on the resolution of these First Nation Land issues;
7. Assist in the communication of First Nation Land issues between Members and the Council;
8. Oversee community approvals under this Land Code; and
9. Attend to any other responsibilities given to the Land Committee under this Land Code or by the Council.

Delegation of Power: The Council may delegate any of its land management powers under this Land Code to the Lands Committee. Such delegation shall be in writing and by Resolution, must be approved by the Council at a duly convened meeting and must be posted in the administrative offices of the First Nation to which the public has access.

4.0 Rules for meetings:

4.1 Meetings of the Lands Committee shall be conducted in accordance to the following procedures:

1. Whenever possible, all meetings shall be held on First Nation Land provided that a meeting may be conducted by telephone or other facility which permits each member of the Lands Committee in attendance to communicate with all other members of the committee at the meeting;
2. The chairperson shall chair the meeting, provided that, in the absence of the chairperson, another member of the committee appointed for that purpose by those in attendance shall chair the meeting;
3. The quorum for meetings of the Lands Committee shall be a majority of the members of the committee;
4. All decisions and actions of the Lands Committee shall be in accordance with a majority vote, which for greater certainty includes the chairperson, provided that a resolution in writing signed by all of the members of the committee is as valid as if it had been passed at a meeting of the committee; and
5. Written minutes of the proceedings at each meeting will be kept and the minutes of the preceding meeting approved or revised at the commencement of each meeting.

4.2 Unless directed otherwise by the Council, the Lands Committee shall meet at least once every three months, provided that the committee shall meet at any time requested by the Council.

5.0 Goals and Objectives:

- 5.1 The purpose of this Land Code is to set out the principles, rules, and administrative structures that apply to First Nation Land and its resources and by which the First Nation will exercise authority over that land.
- 5.2 Under the direction of the Council, in consultation with the Members ensure that Land Law, rules and procedures, as may be appropriate, are developed that address the following:
 1. Environmental protection and assessment in relation to First Nation Land;
 2. Any outstanding issues on resolution of disputes in relation to First Nation Land;
 3. Land use planning and zoning;
 4. Article 24 respecting spousal separation and whether any change should be made to the policy upon which that section is based; and
 5. Any other matter referred to the Lands Committee by the Council