



Plain Language Summary for Bill 42: *Tłegóhłı Got'ıne Final Self-Government Agreement Act*

The Minister of Executive and Indigenous Affairs has introduced the *Tłegóhłı Got'ıne Final Self-Government Agreement Act* in the Legislative Assembly.

The broad purpose of the new Act is to approve and give legal effect to the Final Self-Government Agreement for the *Tłegóhłı Got'ıne* (FSGA). The Act is comprised of provisions addressing the approval of, giving effect to and declaring valid of the FSGA, including the governance, legal structure, and authority of the TGG; authorizing the creation of regulations that may be needed to support the agreement; and, ultimately serves as the legislative mechanism by which the Government of the Northwest Territories (GNWT) fulfills its ratification obligations under the FSGA.

Once in effect, the FSGA will be a treaty under the *Constitution Act, 1982*.

Background

The FSGA was negotiated within the framework of the *Sahtu Dene and Métis Comprehensive Land Claim Agreement (SDMCLCA)*, which has been in place since 1994. Among other things, the SDMCLCA provides for the negotiation of community-based self-governments. Chapter 5 of the SDMCLCA provides that government and the Sahtu Dene and Métis of Norman Wells can negotiate self-government agreements appropriate to their unique circumstances. Clause 5.1.10 commits to addressing the desire of the Sahtu Dene and Métis to have self-government exercised as close to the community level as is reasonably possible.

Purpose

The GNWT is committed to supporting Indigenous peoples in the Northwest Territories achieve their right to self-government through negotiated agreements. The proposed Act will carry out the GNWT's promise to negotiate community-based self-government with the *Tłegóhłı Got'ıne*. The GNWT's ratification process for this agreement will be complete once the proposed Act is passed and in force. Therefore, the fundamental purpose of the proposed Act is as the means to achieve that end by officially approving, giving effect to, and declaring valid the FSGA.

The proposed Bill:

- Approves and gives legal effect to the FSGA as a constitutionally protected treaty.
- Confirms that the GNWT is legally bound by the Act and the Agreement.
- Provides clarity for resolving any conflicts or inconsistencies between the SDMCLCA, the FSGA, territorial laws, and *Tłegóhłı Got'ıne* laws.
- Recognizes the *Tłegóhłı Got'ıne* Government as a legal entity with the legal capacity of a natural person, as set out in the FSGA.
- Confirms that laws made by the *Tłegóhłı Got'ıne* Government under the Agreement have the force of law.
- Provides that *Tłegóhłı Got'ıne* laws are not GNWT statutory instruments subject to the *Statutory Instruments Act*.

- Approves and gives effect to the *Tax Treatment Agreement*.
- Requires courts to recognize the FSGA, the *Tax Treatment Agreement*, and Tłegóhłı Got'ıneq Laws.
- Sets rules for notice and participation when legal proceedings raise issues about the FSGA.
- Makes consequential amendments to other territorial laws to reflect the coming into effect of the FSGA.
- Provides that the Act comes into force on the Effective Date set under the FSGA, which Canada intends to be April 1, 2026.

Once in effect, the FSGA will:

- Be an important step toward achieving reconciliation.
- Support the Tłegóhłı Got'ıneq in seeking to achieve a healthier, more self-sufficient and prosperous community.
- Give the Tłegóhłı Got'ıneq more control over their lives and the future of their community.
- Provide the Tłegóhłı Got'ıneq with the tools to govern effectively and deliver strong programs and services to their people.
- Support the Department of Executive and Indigenous Affairs in meeting its commitment to negotiate and carry out land, resource, and self-government agreements that recognize Aboriginal rights in the Northwest Territories.
- Support the GNWT's 2023–2027 Mandate by working with partners to advance, settle, and implement land claim, self-government, and other Aboriginal rights agreements.

Development

Between May 2023 and November 2024, Canada and the GNWT consulted with Indigenous governments and organizations that could be affected by the FSGA. These meetings led to minor changes in the draft FSGA to respond to concerns raised by Indigenous governments.

Under the terms of the FSGA, Canada and the GNWT must consult with the Tłegóhłı Got'ıneq Government (TGG) before introducing federal legislation in Parliament or territorial legislation in the Legislative Assembly that would put the FSGA into effect. This consultation has been completed.

In addition, section 3.6 of Appendix B of the *Sahtu Dene and Métis Comprehensive Land Claim Agreement* (SDMCLCA) requires Canada and the GNWT to consult with the Sahtu Secretariat Incorporated (SSI) before recommending legislation to Parliament or the Legislative Assembly to enact the FSGA. This consultation has been completed.

For additional information or questions contact:

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