



STATEMENT OF CONSISTENCY

Bill 42: Tłegóhł Got'ine Final Self-Government Agreement Act

Sponsoring Minister: R.J. Simpson

Explanatory Note

Subsection 6(1) of the *United Nations Declaration on the Rights of Indigenous Peoples Implementation Act*, SNWT 2023, c 36 (“*UNDRIP Implementation Act*”) requires the Government of the Northwest Territories (“GNWT”), in collaboration and cooperation with Indigenous peoples, to take all reasonable measures to ensure the laws of the Northwest Territories (“NWT”) are consistent with the Declaration set out in the Schedule of the *UNDRIP Implementation Act*.

Subsection 8(1) of the *UNDRIP Implementation Act* requires the Attorney General to prepare a Statement of Consistency on behalf of the sponsoring Minister of a bill, indicating whether or not the bill is consistent with the Declaration and the rights recognized and affirmed under section 35 of the *Constitution Act, 1982*. The sponsoring Minister must table the Statement of Consistency before the second reading of the bill in the Legislative Assembly.

A Statement of Consistency is not required if an exception under subsection 8(3) of the *UNDRIP Implementation Act* applies.

A Statement of Consistency provides legal information to the Legislative Assembly about the bill’s potential impacts on rights of Indigenous peoples set out in the Declaration and the potential impacts on rights recognized and affirmed under section 35 of the *Constitution Act, 1982*. It is not intended to be a comprehensive overview of all conceivable inconsistencies with Indigenous and Aboriginal rights. A bill may see several amendments between second reading and its ultimate passage through the Legislative Assembly. Additional considerations relevant to the consistency of a bill with the Declaration and the rights recognized and affirmed under section 35 of the *Constitution Act, 1982* may arise through that process. A Statement of Consistency will not reflect an analysis of those changes.

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Background

The Tłegóhłı́ Got'ı́ne Agreement was ratified by the Tłegóhłı́ Got'ı́ne on March 31, 2025 and signed by the Tłegohli Got'ı́ne Government Incorporated and the Government of the Northwest Territories on September 18, 2025. The Agreement requires that legislation be enacted by the Legislature of the Northwest Territories in order for the Agreement to be ratified fully.

Purpose

The purpose of this Bill is to meet that requirement and achieve full ratification of the Agreement. The Agreement is to be approved, given effect, declared valid and to have the force of law.

Application

The Bill applies primarily to the Tłegóhłı́ Got'ı́ne and the Sahtu Dene and Métis in so far as applicable under the *Sahtu Dene and Metis Comprehensive Land Claim Agreement*.

Impacts on Rights under the Declaration and Section 35 Aboriginal and Treaty Rights

This Bill does not impact rights under the Declaration, such as the right to self-determination and self-government, rights respecting lands, territories or resources, or environmental, economic, health, cultural, religious, language or other rights, nor does it impact Aboriginal and treaty rights recognized and affirmed under section 35 of the *Constitution Act, 1982*.

Notably, this Bill supports and implements aspects of the Declaration, such as:

- **The right to self-determination under Article 3;**
- **The right to autonomy or self-government in matters relating to internal and local affairs, as well as ways and means for financing autonomous functions under Article 4.**

UNDRIP Statement of Consistency

The Attorney General has examined the Bill for any inconsistencies pursuant to the obligation under subsection 8(1) of the *UNDRIP Implementation Act*. This review involved consideration of the context in which the Bill was created, as well as the text of the Bill.

In reviewing the Bill, the Attorney General is of the opinion that the Bill is consistent with the Declaration and section 35 of the *Constitution Act, 1982*.