

LAND GOVERNANCE UNDER THE **FRAMEWORK AGREEMENT** ON FIRST NATION LAND MANAGEMENT

Stswecem'c Xget'tem First Nation
March 26, 2026

Jasmine Pouce Coupe, Land Code Governance Advisor (BC and Yukon)

- Member of Doig River First Nation (DRFN) located in Northern BC
- Land Code Coordinator at DRFN from 2021-2023
- DRFN passed our Land Code with 99% approval in 2023
- Our Land Code was enacted on July 1, 2023 – We took “Canada Day” back!
- Certified First Nation Tax Administrator and Certificate in First Nation Applied Economics from the Tulo Centre of Indigenous Economics/TRU
- Working at the First Nation Land Management Resource Centre since June 2024
- Passionate about First Nation self-governance and jurisdiction
- Community involvement, safety, transparency, and accountability are extremely important to me



Land Code Governance Advisors (LCGAs)

Non-exclusive list of support to developmental and operational First Nations:

- Meeting with non-signatory Interested First Nations
- Developmental Phase Support (2-3 years)
- Transitional support
 - Financial planning
 - Registry set up
 - Law Creation prioritization
 - Instrument Development
 - Policies and Procedures
 - Fee schedules
 - Organization/Staffing
- Day to Day Operational Support
 - Training/Knowledge Sharing
 - FNLRS Training
 - Information Management
- Individual Agreement Maintenance – Revenue Accounts, documents transfer, legacy issues follow up
- Interior Surveys related to Legacy Issues Funding, Project support
- Legacy Issues Funding/Project Support
- Various Funding Programs – pending funding from Canada
- Law Development
- Dispute Resolution
- Federal/Provincial/Municipal Relations
- Land governance advice - related to a specific issue
- Land governance workshops - related to a specific topic
- Staff Mentoring
- Best practices related to Land Governance



Resource Centre BC and Yukon Support Services



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The Indian Act

- The Indian Act, 1876, is the oldest Federal legislation governing First Nations in Canada.
- The Act gave Canada the authority to legislate all matters concerning “Indian and lands reserved for Indians”
- The Act enabled Canada to exercise “exclusive jurisdiction” and control, including:
 - Introducing the Reserve System
 - Community Location
 - Lands and Resource Management
 - Forced Surrender of Reserve Lands
 - Expropriation (taking property from its owner for public use or benefit)
 - Vehicle of Assimilation, Colonization



The *Framework Agreement on First Nation Land Management* provides an option for moving beyond the colonial Indian Act land system.

- » A government-to-government agreement between SXFN and Canada.
- » Framework Agreement process is driven by First Nations.
- » Recognizes inherent right to self-government.
- » Each First Nation develops and approves their own unique land codes.
- » **Applies only to reserve lands – not traditional territory**
- » Includes the legal authority to enact, administer and enforce laws, and manage their reserve lands
- » Removes the 44 sections of the Indian Act related to land management and replaces them with community rules under a land code.
- » Protects First Nation reserve lands – **land base can never decrease, only increase!**



The Purpose of the Framework Agreement

To enable First Nations to resume control over their lands and resources for the use and benefit of their members without Government interference, by replacing the land provisions of the Indian Act with First Nation laws.



Land Governance: *Indian Act* vs Framework Agreement

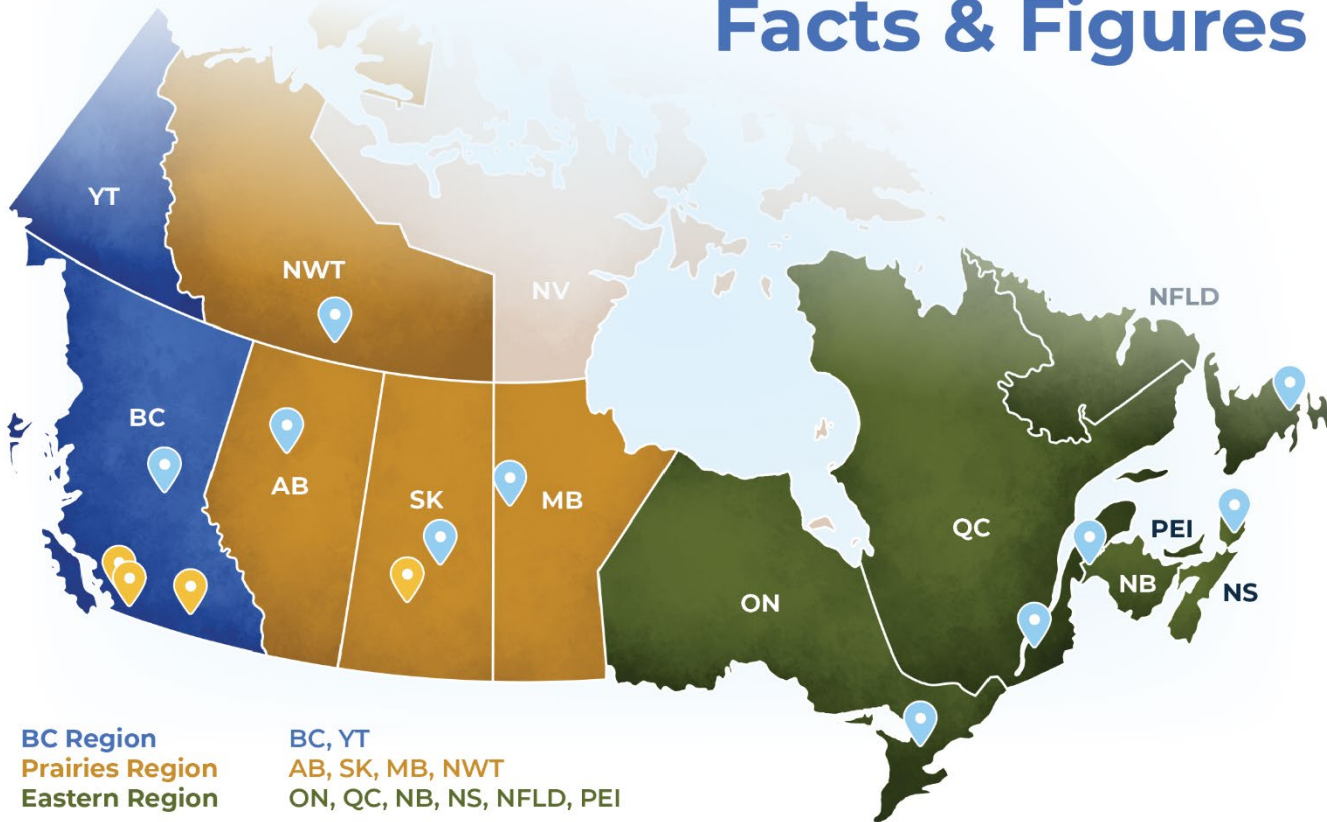
<i>Indian Act</i>	<i>Framework Agreement on First Nation Land Management</i>
Federal government holds authority over lands	First Nation has authority over lands
Ottawa makes all decisions	First Nation (Community) makes all decisions
Slow, bureaucratic processes (red tape!)	Faster , flexible, inclusive processes
Not based on cultural considerations	Rooted in traditions and values
Limits jobs and development	Opens opportunities for housing, economy, environmental considerations
Inhibits self-determination	Strengthens self-determination and growth



February 12, 2026 Facts & Figures

 1st Operational Signatory in the Province/Territory

 Community now in Full Self-Government or Treaty



128

Operational First Nations
have established land codes

221

Signatory First Nations across
Canada at various stages land code

1 in 3

First Nations are signatory to the
Framework Agreement or have
expressed formal interest to become a
signatory

10

Provinces / Territories are home to
operational First Nations

4

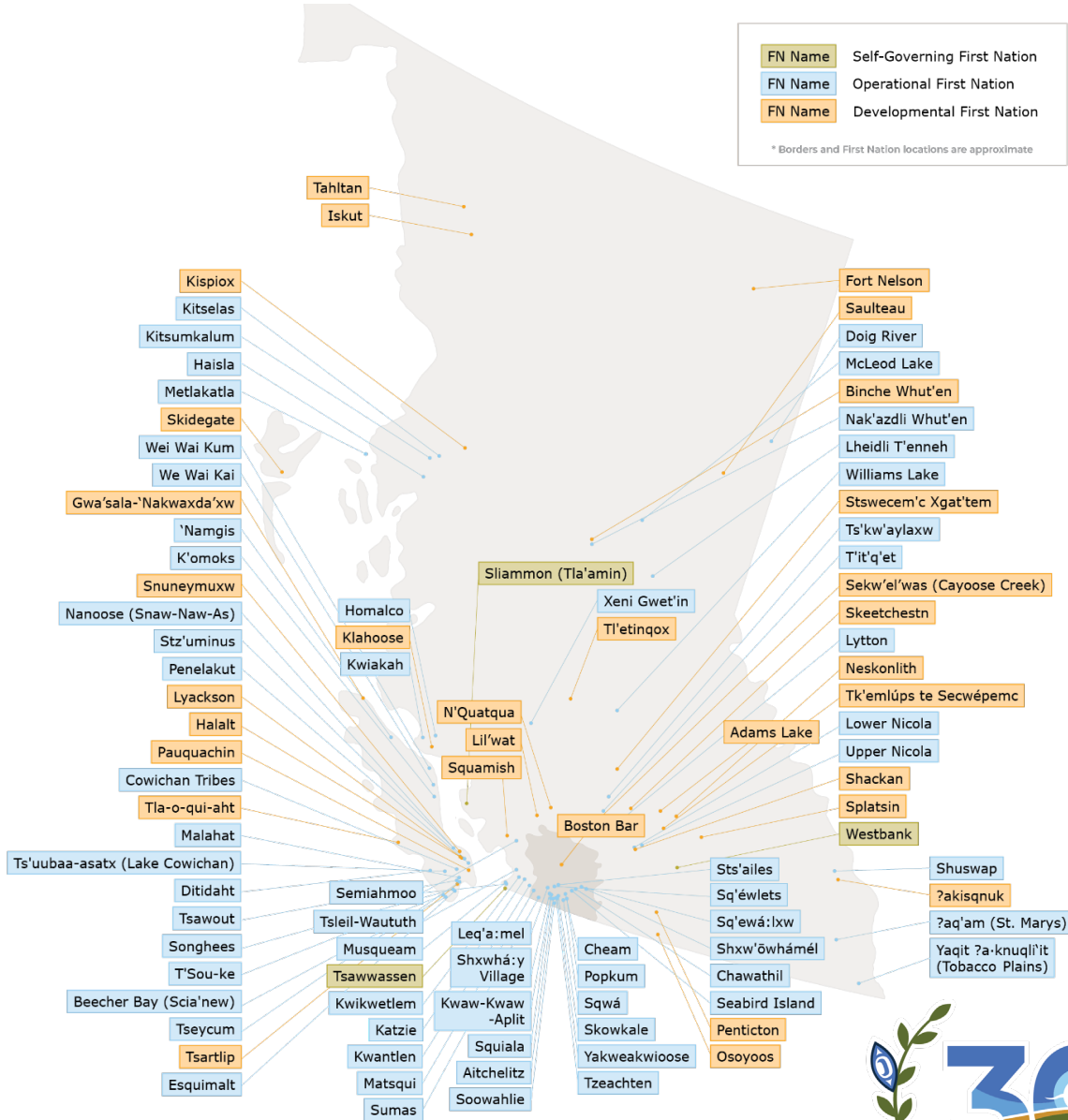
First Nations have moved on to full
self-government or treaty after ratifying
their land codes

1.2+ M

Acres of First Nation Land have been
removed from the colonial *Indian Act*
lands system



There are 95 BC First Nation Signatories to the Framework Agreement.



What is a Land Code?



A basic land law that the First Nation develops and approves to govern its reserve lands



Addresses key points such as:

- Rules and procedures for land possession, exchange and use.
- Financial accountability to members for land revenues
- The process for developing and approving the First Nation's land laws
- Dispute resolution processes



Myths and Facts

MYTH	FACT
A Land Code will impact my status or medical/dental coverage.	No. Having a Land Code will not affect any member's status or change any medical or dental coverages.
A Land Code will impact my title and rights.	No. Aboriginal title and rights are not affected by having a Land Code. A Land Code will not impact the First Nation's ability to expand jurisdiction, decision making or title claims. It is not a treaty.
A Land Code means taxation.	No. Land Codes do not change status related tax exemptions.
A Land Code will turn us into a municipality.	No. Municipalities are creations of provincial law and subject to provincial legislation. First Nations are not brought under provincial authority or made into municipalities.



Myths and Facts

MYTH	FACT
A Land Code is a land surrender.	No. Land surrenders are prohibited under the Framework Agreement. First Nations reassert control over their reserve lands and resources and in no way surrender and rights or title.
A Land Code creates fee simple title out of Reserve Lands.	No. The Framework agreement forbids the creation of such title. First Nation lands continue to retain the same protection as “Lands Reserved for the Indians” under section 91(24) of the Constitution Act, 1867.
The Framework Agreement is a government program.	No. It is a Nation-to-Nation agreement that is being implemented by First Nations and Canada. It was sought, developed, and driven by First Nations as an alternative to the <i>Indian Act</i> land provisions.
Adopting a land code without new land laws in place will leave us in a lawless state.	No. Your current bylaws and land management policies, procedures and practices will continue until new land laws are developed under your Land Code to replace them.



Land Code– becomes basic law of the community

- Sets out the general rules and procedures for the use and occupation of these lands by First Nation members and others,
- Provides financial accountability for revenues from the lands (except oil and gas revenues, which continue under the Indian Oil and Gas Act),
- Provides the procedures for making and publishing First Nation land laws,
- Provides conflict of interest rules,
- Provides a community process to develop rules and procedures applicable to land on the breakdown of a marriage,
- Identifies a dispute resolution process
- Sets out procedures by which the First Nation can grant interests in land or acquire lands for community purposes,
- Allows the delegation of certain land management responsibilities,
- Sets out the procedure for amending the Land Code



Why choose Land Governance under a Land Code?



Self-governance – authority to make decisions about lands without the Indian Act.



Protecting the land – ensuring the environment and resources are cared for into the future.



Economic opportunities – creating conditions for business and investment.



Community-driven – decisions reflect members' voices and priorities.



Law-making powers – Nations can pass their own enforceable land laws.



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ON FIRST NATION LAND MANAGEMENT

What are the overall benefits of a Land Code?



Stronger legal authority – Nations create and enforce their own land laws.



Land security – better protection against outside governments taking or limiting land.



Economic stability – clear rules support growth, investment, and long-term benefit.



Local control of revenues – royalties and revenues stay in the Nation.



Inclusive governance – both on- and off-reserve members help guide major decisions.



Constitutional recognition – lands remain recognized under Canadian law while self-governed.



Basic Core Laws for First Nations

- Zoning and land use
- Subdivision, development and servicing laws
- Granting interests in land
- Environmental protections
- Matrimonial Real Property (MRP)
- Trespassing
- Good neighbour (anti-nuisance, anti-noise, unsightly premises, etc.)

CONSIDER WHAT OTHER LAND CODE FIRST NATION GOVERNMENTS HAVE ESTABLISHED.

WHAT IS MOST IMPORTANT TO YOUR COMMUNITY?



INDIVIDUAL AGREEMENT

Developed jointly by SXFN and Canada and requires member approval by vote

- The Individual Agreement (IA) has advanced over the last 25+ years of implementation and legal review
- **Specifies the transfer of the administration of land from Canada to a First Nation**
- The individuality of SXFN is represented in each of the Annexes in the Individual Agreement



COMMUNITY RATIFICATION PROCESS

Developed by SXFN and sets out the procedure for conducting the Land Code vote.

PROCESS AND VOTING METHODS

- Every eligible voter 18 yrs + as of the last voting day must have the opportunity to freely vote
- Inclusive of on and off reserve voters
- In-person polling stations, mail-in ballots or electronic voting
- The community decides the voting methods and can also determine thresholds for approval and participation



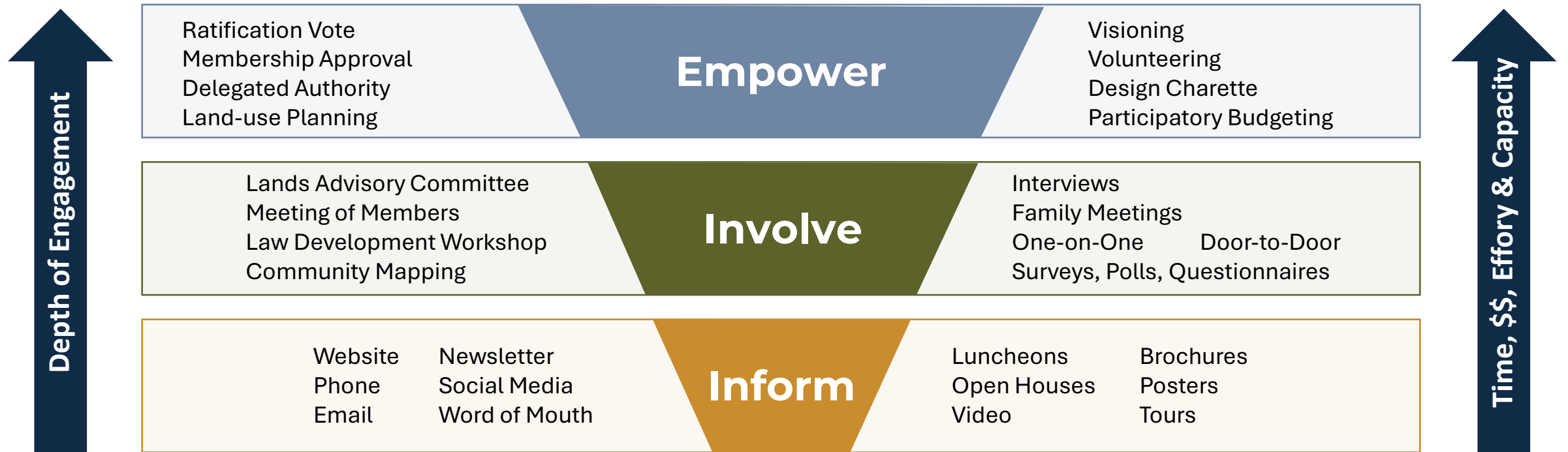
In Person



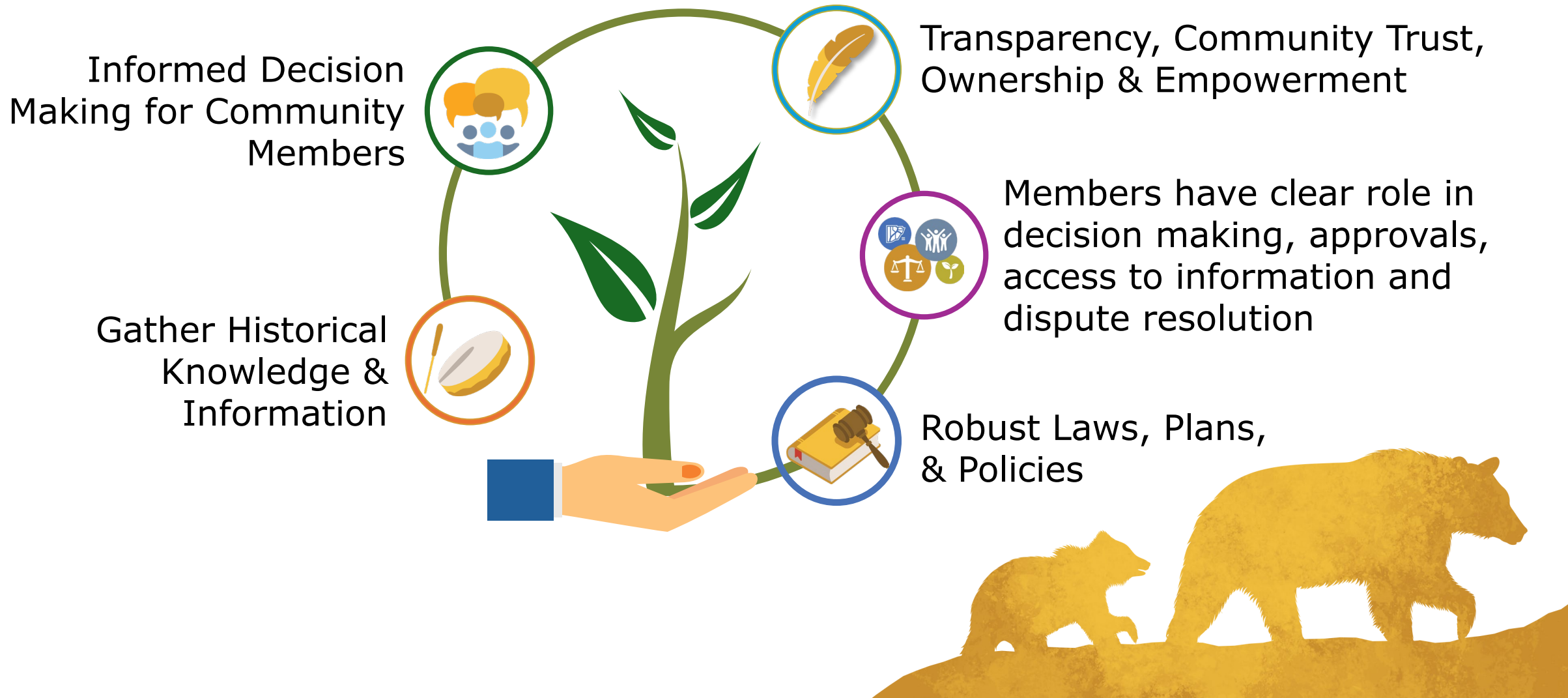
Electronic



Levels of Community Engagement



Why Community Engagement Matters



Funding the Framework Agreement Process

DEVELOPMENTAL PHASE FUNDING

The Resource Centre provides **\$250,000** for developmental phase activities:



Land Code



Individual Agreement



Community Ratification Process

**AVERAGE DEVELOPMENTAL PHASE
2-3 YEARS**

OPERATIONAL FIRST NATION

TRANSITIONAL PHASE FUNDING

\$200,000 over 2 years is provided when the Land Code takes effect to support transitional activities

Year 1

\$ 100,000

Year 2

\$ 100,000

OPERATIONAL PHASE FUNDING

For the current fiscal year, a **minimum of \$ 348,744** is provided to operational First Nations to assist with the implementation of the Land Code

**** (year 1 may be pro-rated)**

Annually

\$ 348, 744



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RESOURCE CENTRE SUPPORT TO FIRST NATIONS



**First Nation
Requests
Support**



**RC Support
Services**



Land Code Governance Support

Environment

Surveys &
Legacy Issues

Land Registry

Land Use
Planning

Solid Waste
Management

Law
Development &
Enforcement

Land
Governance
Resources and
Training

Communication
& Community
Engagement

GIS



For further information...



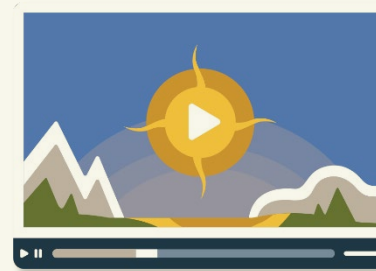
Website

www.labrc.com



Newsletters

[www.labrc.com/
lands-advisor-newsletter](http://www.labrc.com/lands-advisor-newsletter)



Videos

www.vimeo.com/labrc



Podcasts

www.buzzsprout.com/1515202



What's Next?

www.sxfnlandcode.ca website is **LIVE!**

- Phase 1 Environmental Site Assessment
- Land description research reports/surveying for each reserve
- Community engagement!



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Thank You

Questions?

