BACKGROUND

Quw'utsun Tumuhw is now the basic land laws of Cowichan Tribes reserve lands and will replace the land management provisions of the Indian Act.

• September 20, 2019 vote ratified the Quw’utsun Tumuhw and Individual Agreement

• Control of Cowichan Tribes lands are no longer subject to the Indian Act

• Now under governance authority of Cowichan Tribes
LAND GOVERNANCE AUTHORITY

Legal status and power of Cowichan:

- The *Framework Agreement* provides Cowichan Tribes with legal status and power to govern and manage the Tumuhw.

- While Cowichan Tribes will not be able to sell their land, they will be able to lease or develop their lands and resources, subject to any limits imposed by the Quw’utsun Tumuhw.
THE CREATOR

FIRST NATION

LAND CODE

THE FRAMEWORK AGREEMENT ON FIRST NATION LAND MANAGEMENT

First Nations Land Management Act

First Nations Land Registry Regulations

Constitution Act, 1867
Division of Powers

Section 91

Federal

- National Defence
- Criminal Law
- Employment Insurance
- Postal Service
- Census
- Copyrights
- Trade Regulation
- External Relations
- Money and Banking

Section 92

Provincial

- Property and Civil Rights
- Administration of Justice
- Education
- Health
- Welfare
- Natural Resources
- Licensing
- Charities
- Municipalities

Constitution Act, 1982
Canadian Charter of Rights and Freedoms

The Bill of Rights

24. Indians, and Lands Reserved for Indians

- Indian Act
- Commercial and Industrial Development Act
- Indian Oil and Gas Act
- Indian Band Election Regulations
- Indian Estates Regulations
- Indian Reserve Traffic Regulations

First Nations Land Management Resource Centre
www.labrc.com
WHY LAND CODE???

- Jurisdictional – taking back the authority that should have never rested with external officials in the first place
- Sense of empowerment – another step towards self-government
- The ability to make laws based upon community values
- Community approvals of the various laws
- Economic – the ability to participate quicker in the regional economy or require members to be employed, as outlined through a lease, at various stages of the project
HOW DID WE GET HERE?
PRIORITY AREAS

- Lands Administration
- Tumuhw Committee
- Information Management
- Organization Study / Human Resource Management
- Financial Management
- Communications & Public Relations
- Law Making & Enforcement
- Natural Resource Management
- Mapping
WHAT WE ARE WORKING ON NOW

• Work on defining our governance priorities with Chief and Council, Administration and the community
• Planning for Initial Strategic Documents and Law
  • Land Use Plan
  • Environmental Management Plan
  • Matrimonial Real Property Law
• Build our capacity (HR recruitments, training)
• Strengthen our partnerships with local jurisdictions, external agencies and local developers
CONTACTS/QUESTIONS

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- Website: www.cowichantribes.com/landcode
- Facebook: search “Cowichan Tribes Land Code”