

**Yukon First Nations Self-Government Act (1994, c. 35)**

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Act current to February 11th, 2009

Attention: See coming into force provision and notes, where applicable.

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Yukon First Nations Self-Government Act

1994, c. 35

Y-2.6

[Assented to July 7th, 1994]

An Act respecting self-government for first nations in Yukon

Preamble

WHEREAS representatives of Her Majesty the Queen in right of Canada, the Government of the Yukon Territory and the Council for Yukon Indians signed the Umbrella Final Agreement on May 29, 1993, the provisions of which are intended to be incorporated into final agreements for the settlement of land claims of first nations in Yukon;

WHEREAS the Champagne and Aishihik First Nations, the First Nation of Nacho Nyak Dun, the Teslin Tlingit Council and the Vuntut Gwitchin First Nation have each entered into a final agreement with Her Majesty and the Government of the Yukon Territory, incorporating the provisions of the Umbrella Final Agreement and including provisions specific to each first nation;

WHEREAS those final agreements provide that Her Majesty and the Government of Yukon are to enter into negotiations with those first nations for self-government agreements appropriate to the circumstances of each of them and in accordance with the Constitution of Canada;

WHEREAS self-government agreements have been concluded with those first nations, and have been signed on behalf of each first nation, Her Majesty and the Government of the Yukon Territory;

WHEREAS other first nations of Yukon may conclude self-government agreements;

AND WHEREAS the Government of Canada has undertaken to recommend to Parliament the enactment of legislation to bring self-government agreements into effect;

NOW, THEREFORE, Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1994, c. 35, Preamble; 2002, c. 7, s. 260.

SHORT TITLE

Short title

1. This Act may be cited as the *Yukon First Nations Self-Government Act*.

INTERPRETATION

Definitions

2. In this Act,

"citizen"

« *citoyen* »

"citizen", in relation to a first nation, means a citizen as determined in accordance with the constitution of the first nation;

"constitution"

« *constitution* »

"constitution" means the constitution of a first nation, as referred to in section 8;

"final agreement"

« *accord définitif* »

"final agreement" means a land claims agreement for a first nation that includes provisions specific to the first nation and incorporates the provisions of the Umbrella Final Agreement, and includes any amendments made to it from time to time in accordance with its provisions;

"first nation"

« *première nation* »

"first nation" means a first nation named in column II of Schedule I;

"Minister"

« *ministre* »

"Minister" means the Minister of Indian Affairs and Northern Development;

"predecessor band"

« *bande antérieure* »

"predecessor band", in relation to a first nation, means the band or bands, within the meaning of the *Indian Act*, named in column I of Schedule I opposite the name of the first nation appearing in column II of that Schedule;

"self-government agreement"

« *accord* »

"self-government agreement" means an agreement concluded by a first nation with Her Majesty the Queen in right of Canada and the Yukon Government respecting government by and for the first nation;

"settlement land"

« *terres désignées* »

"settlement land" means land identified in a first nation's final agreement as settlement land of the first nation;

"Umbrella Final Agreement"

« *accord-cadre* »

"Umbrella Final Agreement" means the Umbrella Final Agreement signed on May 29, 1993 by representatives of the Council for Yukon Indians, Her Majesty the Queen in right of Canada and the Yukon Government, and includes any amendments made to it from time to time in accordance with its provisions;

"Yukon enactment"

« *loi territoriale* »

"Yukon enactment" means a law of general application enacted pursuant to the *Yukon Act*;

"Yukon Government"

« *gouvernement du Yukon* »

"Yukon Government" means the Commissioner of Yukon acting with the consent of the Executive Council of Yukon.

1994, c. 35, s. 2; 2002, c. 7, s. 261.

Conflicts with other Acts

3. (1) Subject to subsection (2), in the event of a conflict or inconsistency between this Act and any other Act of Parliament, this Act prevails to the extent of the inconsistency or conflict.

Idem

(2) In the event of a conflict or inconsistency between this Act and the *Yukon First Nations Land Claims Settlement Act* or a final agreement or transboundary agreement, within the meaning of that Act, that Act or the final agreement or transboundary agreement prevails to the extent of the inconsistency or conflict.

PURPOSE AND EFFECT OF THIS ACT

Purpose

4. The purpose of this Act and orders of the Governor in Council made pursuant to this Act is to bring into effect self-government agreements concluded with first nations.

First agreements

5. (1) The self-government agreements of the Champagne and Aishihik First Nations, the First Nation of Nacho Nyak Dun, the Teslin Tlingit Council and the Vuntut Gwitchin First Nation, signed on May 29, 1993, are brought into effect on the day this Act comes into force.

Subsequent agreements

(2) Where a self-government agreement is concluded with a first nation after this Act comes into force, the Governor in Council may, by order, bring the agreement into effect and add the name of the first nation to Schedule II.

Notice

(3) The Minister shall publish in the *Canada Gazette* notice of the day on which a self-government agreement is brought into effect under subsection (2).

First nation succession

6. (1) When the self-government agreement of a first nation is brought into effect, the first nation, subject to sections 21 and 22, succeeds to the rights, titles, interests, obligations, assets and liabilities of its predecessor band and that band ceases to exist.

Recognition of band

(2) In the event that the members of the first nation known as the Ta'an Kwach'an Council are recognized by the Governor in Council or a court of competent jurisdiction as a band within the meaning of the *Indian Act* before the first nation's self-government agreement is brought into effect, the band so recognized is deemed to be the predecessor band of that first nation for the purposes of this Act.

FIRST NATION CONSTITUTIONS

Capacity of natural person

7. A first nation named in Schedule II is a legal entity having the capacity, rights, powers and privileges of a natural person.

First nation constitution

8. (1) The constitution of a first nation named in Schedule II shall, in a manner consistent with its self-government agreement, provide for

- (a) a citizenship code that includes the requirements for citizenship in the first nation and the procedure for determining whether a person is a citizen;
- (b) the governing bodies of the first nation and their composition, membership, powers, duties and procedures;
- (c) a system of reporting, by audits or otherwise, through which the governing bodies are financially accountable to citizens;
- (d) the recognition and protection of the rights and freedoms of citizens;
- (e) challenging the validity of the laws of the first nation and quashing invalid laws; and
- (f) the amendment of the constitution by the citizens.

Citizenship

(2) The citizenship code in the constitution of a first nation named in Schedule II shall entitle all persons who are enrolled in accordance with the eligibility and enrolment provisions of the first nation's final agreement to become citizens of the first nation.

Registering of constitution

(3) The constitution of a first nation named in Schedule II and every amendment to it shall be entered in the register of laws referred to in section 10 forthwith after the first nation's self-government agreement is brought into effect or forthwith after the adoption of the amendment, as the case may be.

Exercise of powers

9. (1) The powers of a first nation named in Schedule II shall be exercised in accordance with the first nation's constitution and, subject to subsection (2), by the bodies and persons specified in the constitution.

Delegation of powers

(2) Any power of a first nation named in Schedule II, including a power to enact laws, may be delegated by a law of the first nation to any other first nation or to any other body or person to the extent that the delegation is consistent with the first nation's constitution and self-government agreement.

FIRST NATION LAWS

Register of laws

10. (1) A first nation named in Schedule II shall maintain at its principal administrative office a register of laws, containing the constitution of the first nation and all laws enacted by the first nation, to which any person may have reasonable access during normal business hours.

Central registry

(2) First nations may establish a central registry of their constitutions and laws, to which any person may have reasonable access during normal business hours.

Registration of laws

(3) On the enactment of a law by a first nation named in Schedule II, the original of the law signed and dated by the person presiding over the body that enacted it shall be deposited in the first nation's register of laws and a copy of the law certified by that person to be a true copy shall be provided to the central registry established under subsection (2), if any.

Commencement

(4) A law enacted by a first nation named in Schedule II comes into force at the beginning of the day following its enactment, or at such later time as is specified in the law.

Evidence

(5) In any proceedings, evidence of a law enacted by a first nation named in Schedule II may be given by the production of a copy of the law, certified to be a true copy by a person authorized by the first nation, without proof of that person's signature or official character.

Judicial notice

(6) In any proceedings, judicial notice may be taken of a law enacted by a first nation named in Schedule II that is held in a central registry established under subsection (2).

Statutory Instruments Act

(7) The *Statutory Instruments Act* does not apply in respect of laws enacted by a first nation.

1994, c. 35, s. 10; 2002, c. 17, s. 31(F).

Legislative powers

11. (1) A first nation named in Schedule II has, to the extent provided by its self-government agreement,

(a) the exclusive power to enact laws in relation to the matters enumerated in Part I of Schedule III;

(b) the power to enact laws applicable in Yukon in relation to the matters enumerated in Part II of Schedule III; and

(c) the power to enact laws of a local or private nature applicable on the first nation's settlement land in relation to the matters enumerated in Part III of Schedule III.

Idem

(2) To the extent provided by the first nation's self-government agreement and subject to any limitations contained in it, a first nation named in Schedule II has the power to enact laws in relation to taxation as described in Part IV of Schedule III.

Administration of justice

(3) The power of a first nation under paragraph (1)(c) to enact laws in relation to the administration of justice is suspended until the earlier of

(a) the effective date of an agreement respecting the administration of justice entered into between the parties to the first nation's self-government agreement, and

(b) the expiration of any interim period provided by the self-government agreement for the purpose of reaching an agreement respecting the administration of justice.

1994, c. 35, s. 11; 2002, c. 7, s. 262.

Powers restricted on certain lands

12. (1) Where a first nation's self-government agreement so provides in relation to certain of its powers to enact laws, those powers may not be exercised in respect of portions of settlement land identified in the agreement.

Agreements with local governments

(2) Where a first nation's self-government agreement so provides, the Yukon Government or a municipal corporation in Yukon may agree to the exercise by the first nation of any of the powers referred to in subsection (1), for which that Government or corporation has responsibility, in respect of portions of settlement land identified in the agreement.

1994, c. 35, s. 12; 2002, c. 7, s. 263(E).

Offences

13. (1) The power of a first nation to enact laws in relation to any matter enumerated in Part II or III of Schedule III includes the power to establish offences punishable on summary conviction by fine or imprisonment or both.

Punishment

(2) The fine that may be imposed on a person convicted of an offence under a law of a first nation may not exceed \$5,000 and the term of imprisonment that may be imposed for such an offence may not exceed six months, until an agreement respecting the administration of justice is in effect between the first nation, Her Majesty and the Yukon Government, or until the expiration of any interim period provided by the first nation's self-government agreement for the purpose of reaching such an agreement, whichever occurs earlier.

Fines in relation to lands and environment

(3) Notwithstanding subsection (2), until the earlier of the events referred to in that subsection, and to the extent provided by a first nation's self-government agreement, a fine not exceeding \$300,000 may be imposed on a person convicted of an offence under a law of the first nation enacted pursuant to paragraph 11(1)(c) in relation to

(a) the use of settlement land and of natural resources on settlement land; or

(b) the control or prevention of pollution and the protection of the environment.

1994, c. 35, s. 13; 2003, c. 7, s. 130.

ADMINISTRATION OF JUSTICE

Administration of justice

14. Until an agreement respecting the administration of justice is in effect between a first nation named in Schedule II, Her Majesty and the Yukon Government, or until the expiration of any interim period provided by the first nation's self-government agreement for the purpose of reaching such an agreement, whichever occurs earlier,

(a) the courts of Yukon have, subject to paragraph (b), jurisdiction in respect of laws enacted by the first nation according to the respective jurisdictions of those courts under territorial laws;

(b) the Territorial Court of Yukon has exclusive original jurisdiction in relation to the prosecution of offences under laws enacted by the first nation;

(c) offences under those laws shall be prosecuted in accordance with the *Summary Convictions Act* (Yukon), as amended from time to time, as if they were offences under Yukon enactments, by prosecutors appointed by the Yukon Government; and

(d) terms of imprisonment imposed for offences under those laws shall be served in a correctional facility in accordance with the *Corrections Act* (Yukon), as amended from time to time.

1994, c. 35, s. 14; 2002, c. 7, s. 264.

Supreme Court of Yukon

15. (1) For greater certainty and subject to section 14, the Supreme Court of Yukon has jurisdiction in respect of any action or proceeding arising out of this Act or out of a self-government agreement of a first nation named in Schedule II.

Federal Court of Appeal or Federal Court

(2) Nothing in this Act shall be construed so as to limit the jurisdiction of the Federal Court of Appeal or the Federal Court.

1994, c. 35, s. 15; 2002, c. 7, s. 265, c. 8, s. 180.

LAWS OF GENERAL APPLICATION

Application of general laws

16. Subject to sections 17 to 19 and subsection 20(2), federal and territorial laws apply to a first nation named in Schedule II, to its citizens and in respect of its settlement land.

Indian Act

17. (1) Subject to subsections (2) and (3) and section 22, the *Indian Act* does not apply to a first nation named in Schedule II or to its citizens.

Idem

(2) The provisions of the *Indian Act* respecting the registration of persons as Indians and entitlement to registration as such apply to citizens of a first nation.

Idem

(3) Except as provided by the first nation's final agreement in relation to the application of section 87 of the *Indian Act*, the provisions of that Act, except sections 74 to 80, apply to a first nation named in Schedule II and to its citizens

(a) in respect of any reserve, within the meaning of that Act, of a predecessor band of the first nation situated outside Yukon, and

(b) in respect of any rights, titles, interests, obligations, assets and liabilities of the predecessor band outside Yukon,

as if the first nation were a band and as if citizens of the first nation registered or entitled to be registered as Indians were members of that band, within the meaning of that Act.

1994, c. 35, s. 17; 2002, c. 7, s. 266.

Income Tax Act

18. (1) For the purposes of the *Income Tax Act*, a first nation named in Schedule II is deemed for a taxation year to be a public body performing a function of government in Canada as described in paragraph 149(1)(c) of that Act where, at all times during the year, the first nation satisfies the conditions set out in its self-government agreement relating to taxation of the first nation under that Act.

Idem

(2) No tax is payable under the *Income Tax Act* by a corporation described as a subsidiary in the self-government agreement of a first nation named in Schedule II on the corporation's income, property or capital for a taxation year where, at all times during the year, the corporation satisfies the conditions for exemption from such tax set out in the self-government agreement.

Refund of Goods and Services Tax

18.1 (1) The Minister of National Revenue shall pay to a person, as defined in subsection 123(1) of the *Excise Tax Act*, a refund of the tax paid by the person under Part IX of that Act, to the extent and in the manner that the refund is provided for in a self-government agreement with a first nation.

Application of *Excise Tax Act*

(2) The provisions of Part IX of the *Excise Tax Act* apply, with any modifications that the circumstances may require, in respect of any claim for a refund and any amount refunded under subsection (1) as though the refund were a rebate provided for under Division VI of that Part.

1999, c. 26, s. 35.

Yukon enactments

19. (1) To the extent that a Yukon enactment and a law enacted by a first nation make provision for the same matter, the Yukon enactment does not apply to the first nation, to its citizens or in respect of its settlement land.

Taxation

(2) Subsection (1) does not affect the application of any Yukon enactment relating to taxation.

Partial application

(3) Where, in the opinion of the Yukon Government, subsection (1) renders a Yukon enactment partially inapplicable and thereby unreasonably alters the character of the Yukon law, or makes it unduly difficult to administer the Yukon enactment in relation to a first nation named in Schedule II, its citizens or its settlement land, the Yukon Government may order that the Yukon enactment ceases to apply in whole or in part to the first nation, to its citizens or in respect of its settlement land.

Emergencies off settlement land

20. (1) In relation to any of the matters enumerated in Part II of Schedule III, where a situation that occurs outside the settlement land of a first nation named in Schedule II poses an emergency to any citizen of the first nation, the Yukon Government may, to the extent provided by the self-government agreement, exercise a power conferred by a territorial law in order to relieve the emergency, notwithstanding that a law enacted by the first nation applies in respect of the emergency.

Emergencies on settlement land

(2) In relation to any of the matters enumerated in Part II of Schedule III, where a situation that occurs on the settlement land of a first nation named in Schedule II poses an emergency to any person who is not a citizen of the first nation, the first nation may, to the extent provided by its self-government agreement, exercise a power under a law enacted by the first nation in order to relieve the emergency, notwithstanding that a federal or territorial law applies in respect of the emergency.

Idem

(3) Notwithstanding subsections 19(1) and (3), in relation to any of the matters enumerated in Part III of Schedule III, where an emergency that occurs on settlement land of a first nation named in Schedule II has or is likely to have an effect outside the settlement land, territorial laws are applicable on the settlement land in respect of the emergency.

Actions taken in good faith

(4) A person acting pursuant to subsection (1) or (2) is not liable for any act done in good faith in the reasonable belief that the act was necessary to relieve an emergency.

Definition of "emergency"

(5) In this section, "emergency" means an apprehended, imminent or actual danger to health, safety or the environment.

DISPOSITION OF RESERVE LANDS

Existing reserve lands

21. (1) Notwithstanding sections 37 to 41 of the *Indian Act*, where the self-government agreement of a first nation named in Schedule II so provides, interests in lands previously held for the use and benefit of a predecessor band of the first nation shall be transferred to the first nation in accordance with the self-government agreement.

Lands subject to claims

(2) Notwithstanding sections 37 to 41 of the *Indian Act*, where

(a) lands are identified, in a final agreement that is in effect, as the subject of a claim against Her Majesty by

the first nation, and

(b) a subsequent agreement between Her Majesty and the first nation declares those lands to have been previously held for the use and benefit of a predecessor band of the first nation,

interests in those lands shall be transferred or recognized in accordance with the subsequent agreement.

Authority to transfer

(3) The Governor in Council may take such measures as are necessary to effect the transfer or recognition of any interest in lands referred to in subsection (1) or (2), or may authorize the taking of such measures.

Application of this Act

(4) Except as otherwise provided in the self-government agreement, this Act applies in respect of lands in which an interest is transferred or recognized under subsection (1) or (2) as if those lands were settlement land of the first nation.

Application of final agreement

(5) The final agreement of a first nation applies in respect of lands in which an interest is transferred or recognized under subsection (1) or (2) in the manner and to the extent provided in the self-government agreement.

Application of the *Indian Act*

22. (1) Subject to subsection (2), after a self-government agreement referred to in subsection 21(1) or a subsequent agreement referred to in subsection 21(2) is brought into effect, lands referred to in the self-government agreement that were previously held by Her Majesty for the use and benefit of a predecessor band of the first nation, or lands declared in the subsequent agreement to have been so held, are not subject to the *Indian Act*.

Idem

(2) Where a first nation's self-government agreement provides that the *Indian Act* will continue to apply in respect of lands referred to in subsection (1), that Act continues to apply in respect of those lands as if the first nation were a band and as if citizens of the first nation registered or entitled to be registered as Indians were members of that band, within the meaning of that Act.

Taxation

(3) Notwithstanding subsection (1), section 87 of the *Indian Act* applies, for a period ending three years after the commencement of this Act, in respect of

(a) any interest of an Indian, a first nation or a band, as defined in that Act, in lands to which section 21 applies, or

(b) any personal property of an Indian, a first nation or a band, as defined in that Act, situated on such lands,

as if those lands were reserves of a band within the meaning of that Act and as if the first nation were such a band.

Constitution Act, 1867

(4) For greater certainty, lands in which an interest is transferred or recognized under section 21 remain lands reserved for the Indians within the meaning of class 24 of section 91 of the *Constitution Act, 1867*.

Indemnification

(5) A first nation shall indemnify Her Majesty for any liability arising from the transfer or recognition of lands under section 21 or arising from the first nation's management of those lands following their transfer or recognition.

Definitions

22.1 (1) The following definitions apply in this section. "band"
«*bande*»

"band" has the same meaning as in section 2 of the *Indian Act*.

"Indian"
«*Indien*»

"Indian" has the same meaning as in section 2 of the *Indian Act*.

"reserve"
«*réserve*»

"reserve" has the same meaning as in section 2 of the *Indian Act*.

"transition period"
«*période de transition*»

"transition period", in respect of a first nation, means the period beginning on the day of the year on which the first nation's final agreement is brought into effect and ending on December 31 of that year.

Taxation exemption — former reserves

(2) During the transition period of a first nation, income of a band or an Indian, other than an Indian enrolled under a final agreement that came into effect before the calendar year that includes the transition period, is exempt from taxation under the *Income Tax Act*, if the *situs* of the income is on land of the first nation that was a reserve throughout the portion of that calendar year before the transition period.

Taxation exemption — Indians enrolled

(3) During the transition period of a first nation, income of an Indian who is enrolled under the first nation's final agreement and is resident in the Yukon is exempt from taxation under the *Income Tax Act*, if the *situs* of the income is on a reserve.

2006, c. 4, s. 98.

GENERAL

Conflicts rules

23. The rules of the conflict of laws apply in respect of

(a) any conflict between the laws of two first nations, unless another rule respecting such conflicts is provided by the laws of both first nations; and

(b) any conflict between the laws of a first nation and the laws of another jurisdiction in Canada, unless another rule respecting such conflicts is provided by the laws of the first nation and that other jurisdiction.

Funding agreements

24. The Minister may, with the approval of the Governor in Council and subject to appropriations by Parliament, enter into an agreement with a first nation named in Schedule II for the provision of funding by the Government of Canada to the first nation over the period of time and subject to the terms and conditions specified in the agreement.

Deposit of copies

25. The Minister shall cause a copy of each self-government agreement that is brought into effect and of any amendment made to such an agreement, certified by the Minister to be a true copy, to be deposited in

(a) the Library and Archives of Canada;

(b) the library of the Department of Indian Affairs and Northern Development situated in the National Capital Region;

(c) such regional offices of the Government of Canada situated in Yukon as the Minister considers advisable;

(d) the central registry of laws of first nations established under section 10, if any; and

(e) such other places as the Minister considers advisable.

1994, c. 35, s. 25; 2002, c. 7, s. 267; 2004, c. 11, s. 51.

Effect of self-government agreement

26. For greater certainty, nothing in this Act renders ineffective any provision, or any amendment made to a provision, of a self-government agreement for which specific provision is not made in this Act.

Consultation

27. Consultations shall be carried out with first nations named in Schedule II, as provided by their self-government agreements, in connection with amendments to this Act.

Orders and regulations

28. The Governor in Council may make such orders and regulations as are necessary to implement the self-government agreement of a first nation named in Schedule II.

TRANSITIONAL PROVISIONS

By-laws remain in force

29. Any by-law made under the *Indian Act* by a predecessor band of a first nation, in force immediately before the day the first nation's self-government agreement is brought into effect, applies to the first nation and to its citizens as if the by-law were a law enacted by the first nation, to the extent that the by-law does not conflict with and is not inconsistent with this Act or the constitution of the first nation and is not amended or repealed by a law enacted by the first nation after that day.

Interim powers of councillors

30. Unless the members of a governing body of a first nation named in Schedule II have been selected before the day the first nation's self-government agreement is brought into effect, the persons who were the chief and councillors of the predecessor band of the first nation immediately before that day shall be the members of the governing body from that day until a governing body is selected pursuant to the first nation's constitution.

Moneys held for bands by Her Majesty

31. Moneys held by Her Majesty for the use and benefit of the predecessor band of a first nation immediately before the first nation's self-government agreement is brought into effect, including moneys received in respect of lands referred to in subsection 17(3), shall be transferred from the Consolidated Revenue Fund to the first nation as soon as practicable after the first nation's self-government agreement is brought into effect.

Property of minors and mental incompetents

32. (1) Notwithstanding subsection 17(1), the Minister may continue to exercise any authority under the *Indian Act* that the Minister has, immediately before a first nation's self-government agreement is brought into effect, in relation to the administration of the property of

(a) a minor child of a citizen of the first nation who is registered or entitled to be registered as an Indian; or

(b) a citizen registered or entitled to be registered as an Indian who has been found to be mentally incompetent.

Transfer to trustee

(2) The property of a person referred to in subsection (1), including moneys held in the Consolidated Revenue Fund, may be transferred in trust for that person or that person's estate on terms agreed to by the Minister and the first nation.

CONSEQUENTIAL AMENDMENTS

33. to 39. [Amendments]

COMING INTO FORCE

Coming into force

***40.** This Act comes into force on the day fixed by order of the Governor in Council for the coming into force of the *Yukon First Nations Land Claims Settlement Act*.

* [Note: Act in force February 14, 1995, see SI/95-19.]

SCHEDULE I

(Section 2)

YUKON FIRST NATIONS

Column I	Column II
Item <i>Indian Act</i> Bands	First Nations
1. Carcross/Tagish First Nations Band	Carcross/Tagish First Nation
2. Champagne Band and Aishihik Band	Champagne and Aishihik First Nations
3. Dawson Band	Tr'ondëk Hwëch'in
4. Kluane First Nation Band	Kluane First Nation
5. Kwanlin Dun First Nation Band	Kwanlin Dun First Nation
6. Liard River Band	Liard First Nation
7. Tsawlnjik Dan Band	Little Salmon/Carmacks First Nation
8. Na — cho Ny'A'k — Dun Band	First Nation of Nacho Nyak Dun
9. Ross River Band	Ross River Dena Council
10. Selkirk First Nation Band	Selkirk First Nation
11.	Ta'an Kwach'an Council
12. Teslin Tlingit Council Band	Teslin Tlingit Council
13. Vuntut Gwitchin Tribal Council	Vuntut Gwitchin First Nation
14. White River First Nation Band	White River First Nation

1994, c. 35, Sch. I; 1999, c. 31, s. 226.

SCHEDULE II

(Sections 5, 7 to 11, 14 to 21, 24, 27, 28 and 30)

FIRST NATIONS HAVING SELF-GOVERNMENT AGREEMENTS IN EFFECT

Champagne and Aishihik First Nations

First Nation of Nacho Nyak Dun

Little Salmon/Carmacks First Nation

Selkirk First Nation

Ta'an Kwach'an Council

Teslin Tlingit Council

Tr'ondëk Hwëch'in, formerly known as the Dawson First Nation

Vuntut Gwitchin First Nation

Kluane First Nation

Kwanlin Dun First Nation

Carcross/Tagish First Nation

1994, c. 35, Sch. II; SOR/97-451, 456; SOR/98-425; SOR/2002-134; SOR/2004-9; SOR/2005-69, 403.

SCHEDULE III
(Sections 11, 13 and 20)

LEGISLATIVE POWERS

PART I

1. Administration of first nation affairs and operation and internal management of the first nation
2. Management and administration of rights and benefits that are realized pursuant to the first nation's final agreement by persons enrolled under the final agreement and that are to be controlled by the first nation
3. Any matter ancillary to a matter enumerated in this Part

PART II

1. Provision of programs and services for citizens of the first nation in relation to their spiritual and cultural beliefs and practices
2. Provision of programs and services for citizens of the first nation in relation to their aboriginal languages
3. Provision of health care and services to citizens of the first nation, excluding regulation and licensing of facility-based services outside the settlement land of the first nation
4. Provision of social and welfare services to citizens of the first nation, excluding regulation and licensing of facility-based services outside the settlement land of the first nation
5. Provision of training programs for citizens of the first nation, subject to applicable certification requirements of Canada or Yukon
6. Adoption of and by citizens of the first nation
7. Guardianship, custody, care and placement of children of citizens of the first nation, excluding regulation and licensing of facility-based services outside the settlement land of the first nation
8. Provision of education programs and services for citizens of the first nation who choose to participate in them, excluding regulation and licensing of facility-based services outside the settlement land of the first nation
9. Inheritance, wills, intestacy and administration of estates of citizens of the first nation, including rights and interests in settlement land

10. Procedures consistent with the rules of natural justice for determining the mental competency of citizens of the first nation, and administration of the rights and interests of citizens found incapable of responsibility for their own affairs
11. Provision of services to citizens of the first nation for the resolution of disputes outside the courts
12. Solemnization of marriage of citizens of the first nation
13. Licences in respect of any matter enumerated in Parts I to III of this Schedule, in order to raise revenue for the purposes of the first nation
14. Any matter in relation to which the enactment of a law is necessary to enable the first nation to fulfil its responsibilities under the first nation's final agreement or self-government agreement
15. Any matter ancillary to a matter enumerated in this Part

PART III

1. Use, management, administration, control and protection of settlement land
2. Allocation or disposition of rights and interests in and to settlement land, including expropriation by the first nation for the purposes of the first nation
3. Use, management, administration and protection of natural resources under the ownership, control or jurisdiction of the first nation
4. Gathering, hunting, trapping and fishing and the protection of fish, wildlife and their habitat
5. Control or prohibition of the erection and placement of posters, advertising signs and billboards
6. Licensing and regulation of persons and entities carrying on any business, trade, profession or other occupation
7. Control or prohibition of public games, sports, races, athletic contests and other amusements
8. Control of the construction, maintenance, repair and demolition of buildings and other structures
9. Prevention of overcrowding of residences and other buildings and structures
10. Control of the sanitary condition of buildings and property
11. Planning, zoning and land development
12. Curfews, prevention of disorderly conduct and control or prohibition of nuisances
13. Control or prohibition of the operation and use of vehicles
14. Control or prohibition of the manufacture, supply, sale, exchange, transport, possession and consumption of intoxicants
15. Establishment, maintenance, provision, operation and regulation of local services and facilities
16. Care and keeping of livestock, poultry, pets and other animals and birds, and impoundment and disposal of animals and birds that are maltreated or improperly at large, but not including game farming or game ranching
17. Administration of justice

18. Control or prohibition of actions, activities and undertakings that constitute, or may constitute, a threat to public order, peace or safety
19. Control or prohibition of activities, conditions and undertakings that constitute, or may constitute, a danger to public health
20. Control or prevention of pollution and protection of the environment
21. Control or prohibition of the possession and use of firearms, other weapons and explosives
22. Control or prohibition of the transport of dangerous substances
23. Any matter coming within the good government of citizens of the first nation

PART IV

1. Taxation, for local purposes, of interests in settlement land and of occupants and tenants of settlement land in respect of their interests in that land, including assessment, collection and enforcement procedures and appeals
2. Other modes of direct taxation of citizens of the first nation within settlement land and, to the extent agreed to by the first nation and the Government of Canada, of other persons and entities within settlement land, to raise revenue for the purposes of the first nation
3. The implementation of any taxation agreement entered into by the first nation and the Yukon Government

1994, c. 35, Sch. III; 2002, c. 7, ss. 268(E), 269(F).

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[Important Notices](#)