

# Governance

The Lheidli T'enneh Final Agreement was negotiated by the Government of Canada, the Government of British Columbia and the Lheidli T'enneh Band. It is the first Final Agreement reached in the province under the British Columbia treaty process.

The Final Agreement provides Lheidli T'enneh with certain rights and benefits regarding land and resources, and self-government over its lands and resources and its citizens. It provides certainty with respect to ownership and management of lands and resources and the exercise of federal, provincial and Lheidli T'enneh governmental powers and authorities.

The negotiation of a Final Agreement marks Stage Five of the six-stage British Columbia treaty process, and is the conclusion of substantive treaty negotiations. Once ratified by all parties, the Final Agreement will become a treaty through legislation.

It will be a constitutionally-protected, legal agreement that creates mutually binding obligations and commitments.

## LHEIDLI T'ENNEH GOVERNANCE

The Lheidli T'enneh Final Agreement will operate within the framework of the Constitution of Canada, and the *Canadian Charter of Rights and Freedoms* will apply to the Lheidli T'enneh government.

With the exception of determining Indian status, after a transition period the *Indian Act* will no longer apply to Lheidli T'enneh, its lands or members. Instead, constitutionally-protected, self-government provisions will enable Lheidli T'enneh to make its own decisions about matters related to the preservation of its culture, the exercise

of its treaty rights and the operation of its government.

The Final Agreement requires Lheidli T'enneh to have a constitution that provides for government that is democratically and financially accountable to its citizens. The Lheidli T'enneh constitution will come into force on the effective date of the treaty.

## LHEIDLI T'ENNEH LAW-MAKING POWERS

The Final Agreement contains law-making powers for matters related to lands, resources, and other areas of governance. Lheidli T'enneh areas of authority include the delivery of

health services, education, fire protection and public works.

Federal and provincial laws will apply on treaty settlement lands, known as Lheidli T'enneh Lands. In matters where Lheidli T'enneh has law making authority, the Final Agreement sets out which law prevails if a Lheidli T'enneh law conflicts with a federal or provincial law.

In areas related to internal and integral matters, Lheidli T'enneh authority will have priority over conflicting federal and provincial laws. Examples include government administration, governance of Lheidli T'enneh Lands, Lheidli T'enneh assets on these lands, and Lheidli T'enneh

membership. In other areas, federal and provincial laws will prevail over Lheidli T'enneh laws to the extent of any conflict.

Examples of federal laws that will prevail in the event of a conflict with a Lheidli T'enneh law are those of overriding national importance, such as laws related to health, safety and national security.

## LOCAL GOVERNMENT RELATIONS

At the local government level, Lheidli T'enneh, the City of Prince George and the Regional District of Fraser-Fort George are developing an efficient and effective intergovernmental relationship.

These parties are negotiating a Comprehensive Master Agreement which will set out principles, procedures and guidelines to assist each another in implementing the treaty in areas such as coordination of land-use planning, harmonization of tax structures and laws, and servicing agreements on Lheidli T'enneh Lands located within local or municipal government boundaries.

Under the Final Agreement, the Lheidli T'enneh government may participate on the board of the Regional District of Fraser-Fort George in the same capacity as a municipality.

### **NON-MEMBER REPRESENTATION**

The Lheidli T'enneh government will include at least one representative elected

from non-member residents on Lheidli T'enneh Lands. Further, non-member residents may participate in the decision-making processes of a Lheidli T'enneh public institution, such as a school or health board, if the activities of that institution directly and significantly affect them. The Lheidli T'enneh government may appoint non-members to sit as board members of these institutions.

### **CULTURE AND HERITAGE**

The Lheidli T'enneh government may make laws applicable on Lheidli T'enneh Lands regarding the preservation, promotion and development, and teaching of the Lheidli T'enneh dialect of the Carrier language and Carrier culture. It may also make laws on the conservation, protection

**LHEIDLI T'ENNEH**

Lheidli T'enneh, "the people from the confluence of two rivers," is a Carrier-speaking First Nation that has traditionally occupied and used the land around Prince George, east to the Alberta border. The main Lheidli T'enneh community is located on the Shelley reserve, 20 kilometres northeast of Prince George. The band has 320 members, about 100 of whom live in Shelley. The majority of the other members live in Prince George.

and management of cultural heritage resources, and public access to heritage sites located on Lheidli T'enneh Lands.

The Royal British Columbia Museum will transfer a number of Lheidli T'enneh artifacts currently in the museum's collection. On the effective date of the treaty, British Columbia will begin the designation process, as set out in the

*Heritage Conservation Act*, for a site of cultural significance to Lheidli T'enneh located within the Lheidli T'enneh Area.

If an artifact held by the Canadian Museum of Civilization as of the effective date of the treaty is determined to belong to Lheidli T'enneh, the Lheidli T'enneh government and the museum may negotiate its return.

*If you would like more information about the Lheidli T'enneh Final Agreement, contact:*



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