

OUR PEOPLE
OUR FUTURE
OUR DÉJINÉ

your vote

Déjine Self-Government

Déjine Final Self-Government Agreement (FSGA)

Community Information Sessions

January – February 2014

What is the FSGA?

- Negotiated agreement between Déljñę, GNWT and Canada
- Will be brought into effect by federal and NWT law and be protected as a treaty under the Constitution
- Gives Déljñę Got'jñę ability to their exercise right to self-government
- Describes government structures, elections, DFN citizenship, etc.
- Covers responsibilities in the areas of culture, language, education, social services, and local government services

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Déljñę Self-Government

One government for Déljné

- FSGA will create one government for Déljné (Déljné Got'jné Government)
 - Brings together authorities, programs and services of DFN, DLC and Charter Community
 - Has many new powers and responsibilities, including the ability to make laws in many areas
 - Gives the Déljné Got'jné more control over decisions that affect their daily lives



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Relationship of FSGA to the land claim and treaty

- FSGA does not change rights and benefits under the land claim or Treaty 11
- FSGA and land claim are separate agreements that deal with different kinds of rights
- The land claim dealt with land rights across the Sahtu Region and said each Sahtu community could negotiate self-government at the community level
- FSGA builds on the land claim by adding the ability to make laws and take over programs and services in Déljine and the Déljine District



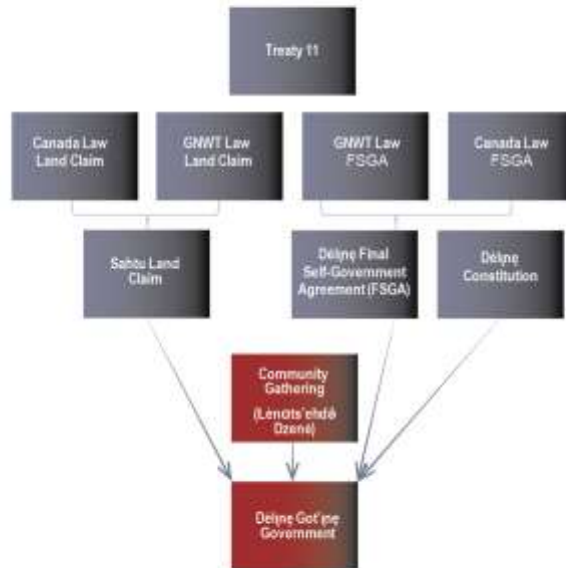
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Where the DGG authority will come from



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Deline Self-Government

How this agreement was made

- 1996: Negotiations began
- 1998: Parties agreed about how negotiations will happen and what topics will be negotiated (Process and Schedule Agreement)
- 2003: Agreement in Principle (AIP) was signed and the parties began to negotiate the Final Agreement and other necessary agreements like the Financing Agreement and the Implementation Plan
- 2012: Negotiators completed the draft FSGA, Implementation Plan, Tax Treatment Agreement and Financing Agreement and get permissions to initial



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Negotiating the AIP took time because it included the major parts of the self-government agreement: the new government model, its main responsibilities, and how its authorities would work with the authorities of GNWT and Canada

The AIP was signed in Deline August 23, 2003 by the Minister of Indian Affairs and Northern Development, the Minister of Aboriginal Affairs of the GNWT, the Chief of the Deline Dene Band and the President of the Deline Land Corporation.

After the AIP the parties needed to negotiate how self-government would be financed, what the parties must do to make sure the agreement will work the way it is supposed to, and how the self-government agreement and the land claim will work together.

DELINE COULD ADD:

AIP represented an important community approval of the government model that is in the final agreement

What initialling means

- The FSGA and other agreements are complete and ready to be put to a vote
- The agreements can now be shared publicly
- The agreement is now submitted for approval to:
 - Déjłnę voters
 - GNWT and the Legislative Assembly
 - Canada and Parliament
- Ratification process is in full swing



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The Chief Negotiators for Déjłnę, the GNWT and Canada initialled the FSGA in Déjłnę in December 2013 and recommended it for approval by the Parties they represent.

If the vote is in favour of the agreement it will mean Déjłnę has approved it. Then the GNWT and Canada will take it through their approvals

FSGA will be given force and effect through territorial and federal legislation

Other agreements being initialled

The Parties have negotiated other important agreements and plans that go with the FSGA to make sure everyone understands and agrees on:

- how self-government will be put into action (Implementation Plan)
- how the DGG will be funded (Financing Agreement)
- the tax rules that will apply to the DGG and its institutions (Tax Treatment Agreement)



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Why vote if you don't live in Déljné

- Even if you don't live in Déljné, Self-Government is important for your family and friends in the community
- DGG will benefit DFN Citizens who live elsewhere
- DGG and the Beneficiaries Board will have the authority to manage land claim assets for the benefit of land claim beneficiaries
- FSGA gives the DGG the ability to support and serve all DFN Citizens regardless of where they live, particularly in preserving their culture, language, spiritual practices, customs and traditions
- DGG will be accountable to all DFN Citizens, even those who live elsewhere



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In addition, as a government and not a “band” under the authority of the Indian Act, it will be accountable to its own citizens, even those who are not residents.

Déljñę Constitution

- FSGA requires DGG to have its own Constitution
- Constitution must be approved by the members of the DFN and DLC, it does not need to be approved by Canada or the GNWT
- Constitution describes:
 - The guiding principles of the Constitution
 - The principles of government
 - Déljñę Got'jñę laws
 - The structure of the DGG
 - Who is a Citizen
 - Official languages
 - The accountability of the DGG



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New powers in the FSGA for Déljñę

DGG can take on many jurisdictions, for example:

- Education, early childhood education and training
- Delivery of health care programs in the Déljñę District
- Social housing and income support
- Adoption
- Community affairs and local services including the regulation of liquor
- Provision of Traditional Health Services
- Tourism and economic development in the Déljñę District
- Aboriginal matters including language and culture
- Local land use planning



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GNWT

DGG has authority to manage programs and activities and pass laws in the following areas (in cooperation with GNWT):

- Daycare Services and Kindergarten (Chapters 6 and 7)
- Primary and High School (Chapter 6)
- Post-Secondary and Adult Education (Chapter 8)
- Provision of Traditional Healing Services (Chapter 14)
- A Déljñę Child and Family Services Agency can be established in collaboration with GNWT (Chapter 11)
- Déljñę may take over this service completely after 10 years and pass its own Child Protection Law (Chapter 11)

- Administrative Agreements can be negotiated with GNWT and Canada on delivery of health programs in the Déljñę District (Chapter 14)

A Déljñę Adoption Law will apply, with the consent of the parents or guardians of the child (Chapter 10)

Authorities: Local Municipal Programs and Services

DGG has authority to manage programs and activities and pass laws in the following areas:

- Land Use Planning (Chapter 9) and Development (Chapter 12)
- Water Supply and Drainage (Chapter 9)
- Fire Protection (Chapter 9)
- Garbage and Waste (Chapter 9)
- Roads and Vehicles (Chapter 9)
- Licensing of Local Business (Chapter 9)
- By-Law Enforcement (Chapter 9)
- Local lotteries for charitable bingos (Chapter 9)
- Liquor Control (Chapter 19)
- Economic Development/Tourism (Chapter 23)
- Social Housing Assistance within the Déljñę District (Chapter 15)
- Income Support Assistance within the Déljñę District (Chapter 16)



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GNWT or DELINE

Authorities: Land Claim and Aboriginal Affairs

DGG has authority to manage programs and activities and pass laws in the following areas:

- DFN Citizenship (Chapter 5)
- Planning and Development of Settlement Lands (Chapter 21)
- Investment of Land Claim Income from the Sahtu Trust (Chapter 3)
- Language, Culture and Spirituality (Chapter 18)



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Define Self-Government

GNWT or DELINE

A gradual approach to new powers

- On Effective Date, the DGG will:
 - take on programs and services the DFN, DLC and Charter Community deliver now
 - take on a few additional powers it needs to be able to operate as a government
- As the DGG builds its capacity and its success over time, it will take on more powers and responsibilities (e.g. education, social programs)
- Until then, the GNWT will continue to manage those programs and services
- When it decides to take on new powers, the governments will work together to make this happen and determine what funding will be transferred

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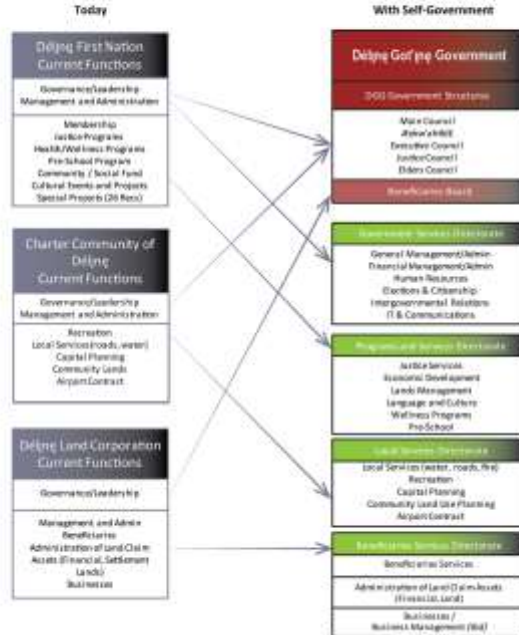
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Explain Effective Date and approximately when that would be

Transition to the DGG



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Déliné Self-Government

How the new government be organized

- The ʔekw'ahṭṭḍé (Chief)
- The Déljṇḡ K'áowədó Kə (Main Council)
- The Déljṇḡ ʔḡhda K'áowə Kə (Elders Council)
- The Déljṇḡ K'a Dats'eredi Kə (Justice Council)
- The Beneficiaries Board (Land Claim Board)



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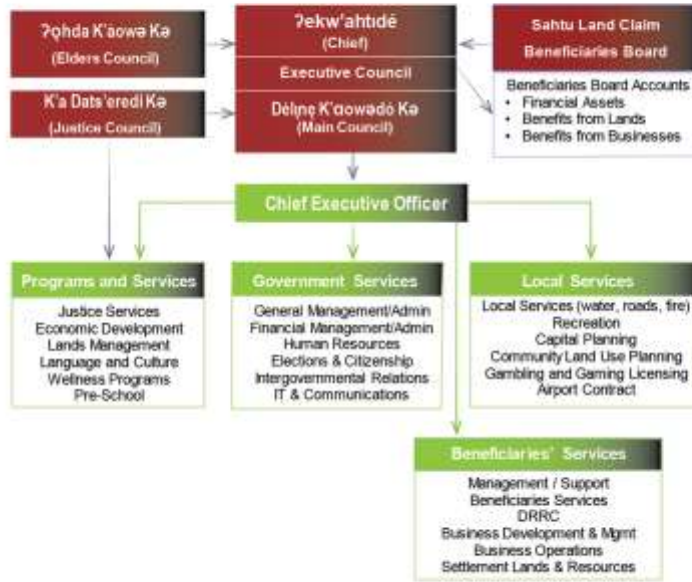
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Each part has its own roles and responsibilities. The Beneficiaries Board will make decisions on how land claim money, assets and rights are used and managed.

Mention all residents of Deline will elect DGG.

Mention ability to have a Youth Council.

DGG: Structure and functions



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Deline Self-Government

The role of the Beneficiaries Board

- Decisions on land claim rights and assets will be made by the DGG with the consent of the Beneficiaries Board
- Controlled by, and accountable to beneficiaries
- All beneficiaries, regardless of where they live, will continue to be able to participate in this part of the DGG



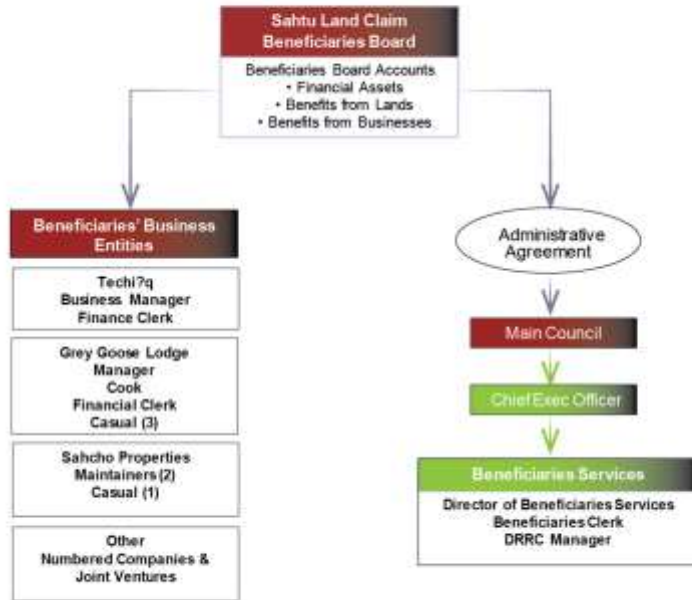
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Proposed Beneficiaries Board structure



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Application of the *Indian Act*

- DGG will get powers from the FSGA, not the federal *Indian Act*
- DGG will have all the tools of a modern government and will not be held back by the *Indian Act* anymore. It will be able to do things that are not possible under the *Indian Act*
- Individuals can still register as “Status Indians” and qualify for programs intended for Status Indians (e.g. non-insured health benefits like dental care, prescription medication and prescription glasses)



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Indian Act tax exemption

- After a transition period, Déljñę First Nation members no longer eligible for the *Indian Act* tax exemption
 - After 8 years: no exemption from sales taxes (GST, fuel and tobacco) on a reserve
 - After 12 years: no exemption for income earned on a reserve
- But, most GST and income tax paid by Déljñę residents will go to the DGG instead of the federal government. This is because the DGG will have its own GST on goods and services consumed in Déljñę and its own income tax on persons living in Déljñę
- Preliminary estimates for the first year are:
 - \$360,000 of GST revenue
 - \$1.3 million of income tax revenue
- Taxes will be used to fund DGG programs and services
- DGG will qualify for other types of tax exemptions, this benefits the people it serves

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Déljñę Self-Government

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Because Déljñę is not a reserve, many Déljñę First Nation members already pay income tax and GST, and this money goes to Canada. Once Déljñę is self-governing, most of this money will go to the DGG to deliver programs and services.

How will the DGG be funded

- Shared responsibility of the three governments
- Described in the Financing Agreement
- DGG will be able to generate revenue (taxes, fees, licences, land rentals, investments, etc.)



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Funding the Déline Got'Iné Government (DGG) is a shared responsibility of Canada, the GNWT and the DGG today and in the future. It will be financed through a combination of contributions from Canada, the GNWT, and its own revenues.

The parties have negotiated a Financing Agreement. This is a contract between the negotiating parties that will be renewed every five years through negotiation.

Getting ready for Self-Government

- Two important things going on:
 - Work negotiation parties need to do to make the change to self-government
 - Implementation Plan
 - Implementation Committee
 - Work the organizations in the community need to do to prepare to come together as one government and be ready to take on new powers
 - Transition Plan
 - Transition Team



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About the vote

- The D ljin  First Nation members and D ljin  land claim beneficiaries will vote between March 10-12, 2014 in D ljin  and Yellowknife.
- Other ways to vote:
 - Mail in ballots (will go out in January)
 - Advance polls in D ljin  and Yellowknife (February 25 and 26)
- To be approved, 50% + 1 eligible voters must vote “YES”
- If you don’t vote, it will be counted like a “no”
- Whether you would want self-government or not, it’s important to vote so we truly know how the community feels

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RATIFICATION COMMITTEE

Who can vote

Eligibility:

- 18 years or older on March 10
- Canadian Citizen
- Member of the Déljıne First Nation Band or beneficiaries of the *Sahtu Dene and Metis Comprehensive Land Claim Agreement* who are registered with the Déljıne Land Corporation
- You do not need to live in Déljıne to vote

You must be on the Voters List to vote

- Preliminary Voters List published November 8
- Appeal period ends January 10
- Official Voters List published January 23



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RATIFICATION COMMITTEE

Ratification Committee

- Will manage the voting process
 - Voters List is complete and correct
 - Voters are aware of the vote and receive copies of the self-government agreement and other important documents
 - planning and overseeing the Ratification Vote
- Arm's length from the parties (neutral)
 - 2 representatives of the DFN
 - 2 representatives of the DLC
 - 2 representatives of Canada
 - 2 representatives of the GNWT
- Ratification Manager is Gina Bayha



RATIFICATION COMMITTEE

How to get informed

- D ljin  Office (Cultural Centre)
- Yellowknife Office (Upstairs from North Wright)
- Internet: www.ourdeline.ca
- Toll-free Phone: 1-855-428-5522
- Ratification Manager : Gina Bayha



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