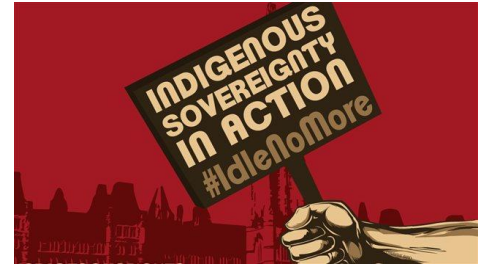




# The Saugeen Ojibway Nation

Saugeen & Chippewas of Nawash First Nations



The Proposed Legislation	Why It Concerns the Saugeen Ojibway Nation
<p align="center"><b>Bill C-38</b> <b>Budget Omnibus Bill #1</b></p>	<ul style="list-style-type: none"> <li>• This 450 page bill changed more than 70 federal Acts without proper Parliamentary debate on some dramatic changes to Canada’s laws.</li> <li>• We are particularly concerned that this bill dramatically changes Canada’s federal environmental legislation, removing many protections for water, fish, and the environment.</li> <li>• These serious changes were made without consulting SON or other First Nations.</li> </ul>
<p align="center"><b>Bill C-45</b> <b>Budget Omnibus Bill #2</b></p>	<ul style="list-style-type: none"> <li>• This second ‘budget’ bill also exceeds 450 pages, and changes 44 federal laws.</li> <li>• This bill and the first budget bill remove many protections of fish habitat and does not recognize Aboriginal commercial fisheries (such as the one which SON has, as confirmed by the Ontario Court in <i>R. v. Jones and Nadjiwon</i>)</li> <li>• Of particular concern to SON are the changes to the <i>Navigable Waters Protection Act</i>, which reduces the number of lakes and rivers where navigation and federal environmental assessment is required from 32,000 lakes and 2.25 million rivers in Canada, to just 97 lakes and 62 rivers. 99% of Canada’s waterways just lost their protection for navigation and federal environmental assessment purposes.</li> <li>• These changes were made without consulting SON or other First Nations</li> </ul>
<p align="center"><b>Bill C-27</b> <b>First Nations Financial Transparency Act</b></p>	<ul style="list-style-type: none"> <li>• This bill imposes standards on First Nations governments that far exceed those for municipal, provincial and federal elected officials in other jurisdictions.</li> <li>• It requires First Nation-owned businesses (unlike non-Aboriginal businesses) to publicly report income and expenses thus undermining competitiveness.</li> <li>• It adds additional bureaucracy to the existing reporting requirements (over 150 financial reports each year) that each First Nation must provide Ottawa, contrary to the recommendations of Canada’s Auditor General and the Treasury Board.</li> <li>• These changes are based on a common and racist misconception that First Nations’ officials are excessively and are more financially corrupt (both of which assumptions are factually and statistically incorrect).</li> </ul>
<p align="center"><b>Bill S-8</b> <b>Safe Drinking Water for First Nations Act</b></p>	<ul style="list-style-type: none"> <li>• This Act will allow Canada to over-our ride First Nation by-laws, BCRs and policies that protect safe drinking water.</li> <li>• In our experience, the federal, provincial and municipal governments in our region are very poor stewards of water. They refuse, for instance, to look at cumulative water impacts when assessing projects. We want to vigorously defend our water, and don’t want the government to override our efforts to do so.</li> <li>• We are concerned that the Minister will now have the power to require our First Nations to charge our members fees for receiving clean water.</li> <li>• The Act allows the government to annul or destroy Aboriginal rights and treaty rights “to the extent necessary to ensure safe drinking water.” This is a limited power but is concerning in principle, especially when the government was not able to provide any justification why it needed this power.</li> </ul>

<p><b>Bill S-2</b> <b>Family Homes on Reserve and Matrimonial Interests or Right Act</b></p>	<ul style="list-style-type: none"><li>• There are currently no laws that apply to determine how property on reserve is divided up when married couples divorce. This bill addresses that “gap”, but it does so without recognizing that First Nations have inherent jurisdiction over matrimonial property on reserve, and that the underlying issues are more complex than simply filling in a gap.</li><li>• There are many issues associated with matrimonial property on reserve, including violence against women, housing availability, self-government rights, capacity to develop and enforce laws, and access to justice. These issues were raised in consultations but have been disregarded in the interests of a “simple fix”.</li><li>• The provisional laws in this legislation will infringe on First Nations’ inherent self-government rights. The legislation will also make it difficult for people to ensure the laws are enforced, as they would have to go to a provincial court, which can be difficult due to distance and expense.</li></ul>
<p><b>Bill S-6</b> <b>First Nations Elections Act</b></p>	<ul style="list-style-type: none"><li>• This Bill provides an alternative elections regime under the Indian Act.</li><li>• Despite the fact that this Act will affect all First Nations, there was no proper consultation about it.</li><li>• We appreciate that First Nations can opt into an alternative regime for elections. We are concerned, however, that the Minister can simply impose an election process on us against our will, and at the discretion of the Minister (if the Minister decides there has been a problem with an election). This can lead to political interference with our elections.</li></ul>
<p><b>Bill C-428</b> <b>Indian Act Amendment and Replacement Act</b></p>	<ul style="list-style-type: none"><li>• This is a private members bill that is a substantial piece of legislation which affects many issues for our First Nations. Yet there has been no proper consultation with us about it. It would impose sweeping changes to the Indian Act.</li><li>• We support the need to abolish the <i>Indian Act</i>. Any discussion about legislation that would replace the <i>Indian Act</i>, however, needs to fully involve us and other First Nations when it is being developed. Yet there has been no substantial consultation on this bill.</li></ul>
<p><b>Bill S-207</b> <b>An Act to amend the Interpretation Act</b></p>	<ul style="list-style-type: none"><li>• This Bill says that no legislation will be interpreted as annulling or destroying Aboriginal or treaty rights. However, if another Act showed a clear intention of limiting or destroying such rights, this Act would not prevent that from happening.</li></ul>
<p><b>Bill S-212</b> <b>First Nations Self-Government Recognition Bill</b></p>	<ul style="list-style-type: none"><li>• This legislation has been introduced for the fourth time.</li><li>• We appreciate that this Act would make it possible for First Nations to take on much of the authority currently given to provinces (such as fisheries, wildlife and habitat management, education, child protection and adoption, health care, and many other issues).</li><li>• If the government intends to support or proceed with this Act, there must be consultation with First Nations as the impact on our communities will be profound.</li></ul>