

FINAL SELF GOVERNMENT AGREEMENT
FOR THE
TŁEGÓHLI GOT'INE
("FSGA")
SUMMARY

Updated: October 31, 2024

All capitalized terms in this Summary are as defined in chapter 1 of Negotiators' Draft of the FSGA

Part I – General

This Part applies on the Effective Date whether the Tłegóhłı Got’ıne Government is the Exclusive Indigenous Government described in Part II or becomes, in the future, the Public Indigenous Government described in Part II

Chapter 1 – Definitions and Interpretation

- Five key definitions

“**Tłegóhłı**”¹ - the Dene Kedeé/North Slavey for “Where the Oil is” - used to describe the current geographic area of the Town of Norman Wells, NWT.

Schedule B-1 of the FSGA is an illustrative map showing the current boundaries of the Town of Norman Wells.

“**Tłegóhłı Administrative Area**”² - that part of the Tulita/Norman Wells District of the Sahtu Region that lies north and west of a line drawn north from the mouth of Vermillion Creek to the Tulita/Norman Wells District’s boundary with the Délıne District and drawn south and west across the Mackenzie River from the mouth of Vermillion Creek to the Canol Trail and then along the south side of the Canol Trail to the NWT boundary with the Yukon.

Schedule A of the FSGA is the modern survey description of the Administrative Area.

Schedule A-1 of the FSGA is an illustrative map showing the Administrative Area.

“**Tłegóhłı Got’ıne**”³ –the Dene Kedeé/North Slavey for “The People Where the Oil is” - the participants enrolled under chapter 4 of the *Sahtu Dene and Metis Comprehensive land Claim Agreement* (“SDMCLCA”) with the Sahtu Dene and Métis Community of Norman Wells, the members of The Tłegóhłı Got’ıne Government Incorporated (“TGG Inc”) formerly known as the Norman Wells Land Corporation (“NWLC”) and their minor children.

“**Tłegóhłı Got’ıne Government**”⁴ – the “Government of the People where the Oil is” – the name which the members of NWLC at the Annual General Meeting held on November 30, 2020 directed be used by NWLC “In all future dealings with Canada and the GNWT and any other government or municipal corporation on matters touching upon or that may affect their inherent rights and treaty rights, including those under the SDMCLCA”.

“**Exercisable Treaty Rights**”⁵ – the incidents or details of your inherent aboriginal right of self-government that are described in the chapters of the FSGA, including the Jurisdictions and

¹ 1.1.1

² 1.1.1

³ 1.1.1

⁴ 1.1.1

⁵ 1.1.1

Authorities that the Tłegóhłı Got'ıne Government may decide to exercise on or after the Effective Date.

Chapter 2 – General Provisions

- **Purpose of the FSGA.** For Canada and the GNWT to recognize in a Treaty that will be protected under section 35 of the *Constitution Act, 1982*⁶, that:
 - You, the Tłegóhłı Got'ıne, collectively have the inherent right to self-government⁷
 - The Tłegóhłı Got'ıne Government, already established by you and exercising your inherent right of self-government, is the government that Canada promised to negotiate and recognize in chapter 5 of the SDMCLCA⁸ and a “government within the constitutional framework of Canada”⁹ and
 - Lists the incidents or details of your inherent right of self-government that your self-government may choose to exercise¹⁰
- **Recognition and Predictability.** The FSGA will be a “treaty” within the meaning of the *Constitution Act, 1982* that may evolve over time and will be protected as a treaty under section 35 of the *Constitution Act, 1982*¹¹:
 - Nothing in the FSGA:
 - Removes from you your collective identity as an aboriginal people of Canada under the *Constitution Act, 1982* or as “Indians” under the *Constitution Act, 1867* (as affirmed by the *Daniels* case)
 - Affects your ability to participate in or benefit from any existing or future constitutional rights for Indigenous people which may be applicable;
 - Affects the rights and benefits of participants of the SDMCLCA in and to all settlement lands as defined in and provided for under the SDMCLCA; or
 - Affects your eligibility to be registered as an “Indian” under the *Indian Act* if you meet the requirements for registration under that Act.¹²
 - The *Indian Act* itself will not apply to the Tłegóhłı Got'ıne Government or to you as Citizens. But those of you who are registered or who may successfully apply to be registered under that Act as “Indians” will:

⁶ Section 2.2.2

⁷ Section 2.4.1 a)

⁸ Section 2.2.1

⁹ Section 2.4.2 a)

¹⁰ Section 2.4.2 c)

¹¹ Section 2.2.4, 2.2.5

¹² Section 2.9

- continue to be subject to the wills and estates and the trustee and guardianship provisions of that Act for at least 10 years;
- continue to be eligible for benefits available to “registered Indians”, and
- continue to have the benefit of section 87 for your property on a reserve, as long as that section exists.¹³
 - You promise that the Tłegóhłı Got’ıne Government will only assert or exercise those incident or details of your inherent right of self-government that are described as “Exercisable Treaty Rights” in the FSGA as may be amended¹⁴.
- **Release of Claims.** You release Canada, the GNWT, and all other persons from all claims arising from any act or omission that may relate to or affect your aboriginal or treaty right to self-government.¹⁵
- **Rights, Benefits, and Programs.** Citizens of the Tłegóhłı Got’ıne Government who are Canadian citizens or permanent residents of Canada continue to be entitled to all of the rights and benefits of other Canadian citizens or permanent residents of Canada, applicable to them from time to time.¹⁶ Similarly, Citizens are still able to participate or benefit from federal or NWT programs and services for aboriginal people including programs related to Citizens residing in the Tulita/Norman Wells District.¹⁷
- **Consultation.**
 - Canada and the GNWT will Consult with the Tłegóhłı Got’ıne Government prior to introducing any Federal Law impacting the implementation or amendment of the FSGA.¹⁸
 - The GWNT will Consult with the Tłegóhłı Got’ıne Government if:
 - There are any proposals for a new local government on specified lands or a change in an established boundary of a local government within the Tłegóhłı Administrative Area¹⁹; or
 - Canada will Consult with the Tłegóhłı Got’ıne Government prior to agreeing to an International Treaty that may adversely affect your aboriginal or treaty rights.²⁰
- **Application of Laws:**²¹

¹³ Section 2.9.3

¹⁴ Section 2.5.5

¹⁵ Sections 2.5.6, 2.5.7, and 2.5.8

¹⁶ Section 2.6.1

¹⁷ Section 2.6

¹⁸ Section 2.7

¹⁹ Section 2.8

²⁰ Section 2.12

²¹ Section 2.10

- The *Canadian Charter of Rights and Freedoms* applies to Tłegóhłı Got'ıne Government, its Institutions and Laws.
- Federal Law and NWT Law still applies in the Tłegóhłı Administrative Area.
- Tłegóhłı Got'ıne Law does not have to be published in Ottawa or Yellowknife.
- Nothing in the FSGA affects the inherent jurisdiction of the Supreme Court of the NWT.
- The Jurisdictions of the Tłegóhłı Got'ıne Government set out in the FSGA do not include:
 - Criminal law, including procedures in criminal matters;
 - Intellectual property;
 - Possession, use or regulation of firearms;
 - Labor relations and working conditions;
 - The official languages of Canada and the NWT; and
 - The certification, licensing, or regulation of occupations, trades, professions, professionals, professional organizations and societies except for those specified in the FSGA.

Chapter 3 – Implementation

- The implementation of the FSGA will be set out in an implementation plan for an initial term of 10 years to be managed by an Implementation Committee made up of 1 representative from each of the Tłegóhłı Got'ıne Government, Canada and the GNWT²² This implementation plan is separate and apart from the FSGA and does not create any legal obligations.²³
- The Parties will also agree upon a pre-Effective Date plan which identifies any activities that must be completed before the Effective Date, the time frames of such activities and responsibilities of each Party.²⁴

Chapter 4 – Dispute Resolution

- The dispute resolution process is intended to assist the Parties in resolving disputes which may arise among the Parties regarding the interpretation, application, or implementation of the FSGA.
 - Parties shall first try to negotiate in good faith and attempt to resolve the dispute.²⁵
 - Then they shall move to a good faith mediation process.²⁶

²² Section 3.1, 3.2, 3.4

²³ Section 3.3

²⁴ Section 3.4

²⁵ Section 4.1.6

²⁶ Section 4.5

- If the dispute is still not settled, the Disputants may refer the issues to arbitration. The decision of the arbitrator is final and binding on the Parties, subject to a limited appeal to the Supreme Court of the NWT.²⁷
- If the Parties do not consent to arbitration, any Party may commence legal proceedings after giving the required notices to the other Party.²⁸

Chapter 5 – Review and Amendment

- Amendments to the FSGA can be made at any time if all three Parties agree in writing.²⁹
- Every 10 years the three Parties shall participate in good faith in negotiations to amend the FSGA (“periodic review”). Anything that impacts the FSGA can be addressed in periodic review.³⁰
- An arbitrator can be asked to find that a Party has not negotiated amendments in good faith³¹
- Provision relating to taxation of the Tłegóhłı Got’ıne Government, the geographic description of Tłegóhłı and Schedule C (the list of settlement lands over which the Tłegóhłı Got’ıne Government will have Jurisdiction) are automatic or administrative amendments that do not require tri-partite negotiations.³²

Chapter 6 – Transition to Indigenous Public Government

- When the FSGA first comes into effect the Tłegóhłı Got’ıne Government will be recognized as an “exclusive Indigenous government” acting under Part II. Its Part II Jurisdictions only apply to the Tłegóhłı Got’ıne. However, this Chapter makes provision for the Tłegóhłı Got’ıne Government to replace the Town of Norman Wells in the future and become a “public Indigenous government” acting under Part III (“Transition”). This would be like the Délıne Got’ıne Government and the Tłıchı Community Governments that are both indigenous governments and the local government for all residents.
- **Pre-Transition Arrangements.** Before the Tłegóhłı Got’ıne Government becomes a public Indigenous government, a joint committee of representatives of the Tłegóhłı Got’ıne Government and the Town of Norman Wells will meet regularly to discuss how the rights of the Tłegóhłı Got’ıne can be considered and respected by the Town when the Town makes policies and passes bylaws.³³ If a Town policy or bylaw infringes upon and does not accommodate your aboriginal or treaty rights, the Tłegóhłı Got’ıne Government can force Consultation with the GNWT and GNWT can disallow the offending bylaw.³⁴

²⁷ Section 4.6

²⁸ Section 4.5.8

²⁹ Section 5.3.1

³⁰ Section 5.1

³¹ Section 5.1.11 – 5.1.13

³² Section 5.2, 5.4 and 5.5

³³ Section 6.1

³⁴ Section 6.2.5

- **Invoking Transition.** When the percentage of Tłegóhłı Got'ıne ordinarily resident in Norman Wells reaches at least 70% of the overall population of Norman Wells, the Tłegóhłı Got'ıne Government may pass a resolution requiring Transition.³⁵ The Tłegóhłı Got'ıne Government does not have to pass this motion. It decides whether Transition is in the best interests of the Tłegóhłı Got'ıne. But if it does pass this motion neither Canada nor GNWT can stop Transition.
- **Proposal for Early Transition.** Before that 70% population threshold is reached, the Tłegóhłı Got'ıne Government may pass a resolution proposing Transition but, if the 70% population threshold has not been met, Canada and the GNWT do not have to agree and there will be no Transition.³⁶
- **Transition Process.** Upon receiving the first of those resolutions or Canada's and GNWT's agreement to the second of those resolutions the Implementation Committee will meet and develop a pre-Transition Date plan within 90 days. The Transition Date will be 2 years after that first meeting.³⁷ At least 90 days before the Transition Date, election will be held for the new public Indigenous government.³⁸
- **Transition.** On the Transition Date the:³⁹
 - Town of Norman Wells is dissolved;
 - Part III of the FSGA takes effect and the Tłegóhłı Got'ıne Government becomes the public Indigenous government for all residents of Norman Wells/Tłegóhłı as well as the Tłegóhłı Got'ıne, as described in Part III; and
 - Part II of the FSGA is no longer in effect.

Chapter 7 – Ratification of the FSGA

- When the chief negotiators for each of the Parties are prepared to recommend the FSGA to their principals for ratification, they shall initial the FSGA and submit the FSGA to their principals for consideration of ratification.⁴⁰
- In considering ratification both Canada and the GNWT must consult with neighbouring Indigenous communities, just like they did before they could sign our Agreement-in-Principle in 2019.
- The three Parties will establish a Ratification Committee made up of 2 representatives of the Tłegóhłı Got'ıne Government and one from each of Canada and the GNWT. That committee will be responsible for compiling a preliminary list of eligible voters (participants enrolled under chapter 4 of the SDMCLCA with the Sahtu Dene and Metis Community of Norman Wells who are or will be at least 18 years old on the date of the ratification vote) and, after considering any appeals for inclusion or non-inclusion in that list, the Committee will finalize an official voters list.⁴¹ Thereafter the ratification vote will be conducted by an independent Chief Ratification Officer appointed by the Ratification Committee but, before the vote, the Ratification Committee is responsible for providing

³⁵ Section 6.3

³⁶ Section 6.4

³⁷ Section 6.5

³⁸ Section 6.7

³⁹ Section 6.6

⁴⁰ Section 7.1, 7.7, 7.8, 7.9

⁴¹ Section 7.4

voters with information concerning the FSGA and also the Tłegóhłı Got'ıne Government Constitution that must be submitted for ratification along with the FSGA.⁴²

- Ratification of the FSGA by the Tłegóhłı Got'ıne requires that 50% + 1 of all of the eligible voters vote in the referendum conducted by an independent Chief Ratification Officer and that 50% plus 1 of those who vote in the referendum vote in favour of the FSGA. Ratification of the Tłegóhłı Got'ıne Government Constitution requires the same double majority.⁴³
- Canada and the GNWT must then also pass legislation ratifying the FSGA.⁴⁴

Part II – Indigenous Tłegóhłı Got'ıne Government

This describes the Tłegóhłı Got'ıne Government that Canada and the GNWT will recognize on the Effective Date, after the FSGA has been ratified by the Tłegóhłı Got'ıne (by referendum) and by both Canada and the GNWT (by legislation) under chapter 7.

Chapter 8 - Tłegóhłı Got'ıne Government

- The structure of the Tłegóhłı Got'ıne Government consists of⁴⁵:
 - An elected Legislative Council (between 5-9 members, including the President)⁴⁶
 - The elected President.
 - A Justice Council (between 3-5 individuals) which must be appointed by the Legislative Council for a term of 4 years or less⁴⁷
 - An Executive Committee (the President and 1 – 5 individuals) which may be appointed by the Legislative Council.
- The President and other members of the board of directors of TGG Inc holding office on the day before the Effective Date will take office as the President and other members of the first Legislative Council and will hold office until the second anniversary of the Effective Date or the declaration of the results of the first election, whichever is earlier.⁴⁸

⁴² Section 7.5, 7.6, and 7.2

⁴³ Section 7.7 and 7.2

⁴⁴ Sections 7.8 and 7.9

⁴⁵ Section 8.3

⁴⁶ The Tłegóhłı Got'ıne Government Constitution sets the number at 9 (the current Board of Directors of TGG Inc.)

⁴⁷ The Tłegóhłı Got'ıne Government Constitution sets the number at 3

⁴⁸ Section 8.1.9

- The Tłegóhłı Got'ıne Government may delegate any of its Jurisdictions and Authorities to Institutions of the Tłegóhłı Got'ıne Government, another Indigenous government in the NWT, the GNWT, Canada or, with the written agreement of Canada and the GNWT, any other legal entity.⁴⁹
- The Tłegóhłı Got'ıne Government can establish Institutions that may provide programs or services or economic development.⁵⁰

Chapter 9 – Elections for the Tłegóhłı Got'ıne Government

- The Tłegóhłı Got'ıne Government has Jurisdiction and Authority with respect to elections for the Tłegóhłı Got'ıne Government and for those Institutions whose members are elected. Its Election Law will ensure elections are fair and open, conducted by secret ballot, provide for appeals, and ensure there are periodic elections no more than 5 years apart for all elected positions.⁵¹
- Eligibility to Vote and Nominate⁵²:
 - Every Citizen is entitled to vote for and nominate candidates for the Government and Institutions that are elected
 - The Legislative Council can enact eligibility requirements, including age and residency restrictions.⁵³
- Eligibility to Stand for Election⁵⁴:
 - Every Citizen is eligible to stand for election to an office for the Government and Institutions that are elected
 - The Legislative Council can enact eligibility requirements, including age and a residency requirement not exceeding 2 years

Chapter 10 – Citizenship

- The Tłegóhłı Got'ıne Government has Jurisdiction and Authority with respect to who is, or who may become, a Citizen.
- All participants enrolled under chapter 4 of the Land Claim Agreement with the Sahtu Dene and Metis community of Norman Wells will automatically become Citizens and individuals who are

⁴⁹ Section 8.14

⁵⁰ Section 8.4

⁵¹ Section 9.1; note, the Tłegóhłı Got'ıne Government Constitution fixes the term of office at 4 years and reinstates the current TGG Inc system of holding staggered elections every 2 years.

⁵² Section 9.2

⁵³ But, the draft Constitution of the Tłegóhłı Got'ıne Government, sections 4 – 7 will require that elections be for 4-year terms, like they are under the TGG Inc bylaws, staggered so that half are elected every 2 years. The Constitution will also require that, while the President must be a resident of Norman Wells/Tłegóhłı, half of the 8 Councillors may be non-residents.

⁵⁴ Section 9.3; note, the Tłegóhłı Got'ıne Government Constitution requires the President be a resident of Tłegóhłı but half of the other members of the Legislative Council can be non-residents.

eligible to be enrolled with Norman Wells prior to the Effective Date will have the right to become Citizens. However, no Citizen can:

- Have citizenship under another Indigenous self-governance agreement in Canada;
- Be a member of another land corporation established under the SDMCLCA; or
- Be on an *Indian Act* band list, other than the Tulita Dene Band, the Fort Good Hope Band or the Behdzi Ahda First Nation Band.⁵⁵

Chapter 11 – Language, Culture, and Spirituality⁵⁶

- The Tłegóhłı Got'ıne Government has Jurisdiction and Authority in the Tłegóhłı Administrative Area with respect to:
 - Language and culture;
 - Traditional spiritual practice, customs, and traditions;
 - Education, preservation, development, and promotion of the above; and
 - Certification, licensing, and regulation of individuals who teach the above.

Chapter 12 – Traditional Healing

- The Tłegóhłı Got'ıne Government has Jurisdiction and Authority in the NWT with respect to ⁵⁷:
 - Traditional healing services;
 - Training of individuals providing the services;
 - Certification, licensing, and regulation of individuals who teach those services.
- This Jurisdiction does not include ⁵⁸:
 - Medical or health practices or practitioners requiring licensing or certification under Federal or NWT Law;
 - Products and substances that are regulated under Federal or NWT Law; or
 - Long term healthcare that is established, funded, and supervised by the GNWT.

⁵⁵ Section 10.1.4

⁵⁶ Section 11.1

⁵⁷ Section 12.1.1

⁵⁸ Section 12.1.2

Chapter 13 – Adult Education, Training, Post-Secondary Education, and Education Support Services

- The Tłegóhłı Got’ıne Government has Jurisdiction and Authority in the Tłegóhłı Administrative Area with respect to ⁵⁹:
 - Adult Education of Citizens;
 - Training of Citizens; and
 - Post-secondary education (may establish and regulate post-secondary education programs, services, and Institutions established by the Tłegóhłı Got’ıne Government).
- The Tłegóhłı Got’ıne Government may also establish Education Support Services in the NWT for Citizens, but must enter negotiations with GNWT to reach an agreement for the sharing of information on individuals receiving these services. ⁶⁰

Chapter 14 – Early Childhood Education

- The Tłegóhłı Got’ıne Government has Jurisdiction and Authority in the Tłegóhłı Administrative Area with respect to ⁶¹:
 - Early childhood education of Children of Citizens who are not Students;⁶²
 - Junior kindergarten and kindergarten of Citizens who are not Students
 - Childcare of Children of Citizens who are Students;
 - Regulation of facilities providing early childhood education, childcare; and kindergarten
 - Certification of individuals providing early childhood education, childcare, and kindergarten.
- The Tłegóhłı Got’ıne Law regarding junior kindergarten and kindergarten must have standards similar to territorial standards. ⁶³

Chapter 15 – Grade 1 to Grade 12 Education

- The Tłegóhłı Got’ıne Government has Jurisdiction and Authority in relation to ⁶⁴:
 - Grade 1 to grade 12 education of Students who are Citizens residing in the Tłegóhłı Administrative Area;
 - The certification of grade 1 to grade 12 teachers;

⁵⁹ Section 13.1

⁶⁰ Section 13.1.2 and 13.2

⁶¹ Section 14.1

⁶² “Student” is defined as children in Grades 1 - 12

⁶³ Section 14.2

⁶⁴ Section 15.1

- The development of the Curriculum Framework; and
- Setting the requirements for grade 12 graduation.
- The Tłegóhłı Got'ıne Law must have standards similar to territorial standards.
- The Tłegóhłı Got'ıne Government may enter into agreements with a third party for the delivery of grade 1 to grade 12 education within the Tłegóhłı Administrative Area or for Students who are Citizens receiving this education outside the area.⁶⁵

Chapter 16 – Adoption

- The Tłegóhłı Got'ıne Government has Jurisdiction and Authority in the NWT with respect to the adoption of Children of Citizens. If a Child has a parent who is subject to an adoption law exercised through another Indigenous rights agreement in Canada, or resides outside the Tłegóhłı Administrative Area, then the parent or guardian that has lawful custody must consent to the application of the Tłegóhłı Got'ıne Law.⁶⁶
- If the Tłegóhłı Got'ıne Government exercises Jurisdiction and Authority over adoption, they must provide to Canada all copies of adoption records of Children who are registered as “Indians” under the *Indian Act*.⁶⁷

Chapter 17 – Child and Family Services

- Tłegóhłı Got'ıne Government has Jurisdiction and Authority in accordance with the *Act respecting First Nations, Inuit and Métis Children, Youth and Families* (Canada) with respect to Child and Family Services for Citizens and for individuals who are entitled to be enrolled as Citizens.⁶⁸
- Until a Child and Family Services Law is passed by the Tłegóhłı Got'ıne Government, the GNWT will give notice of any application it may make with respect to any Child who is a Citizen and who the GNWT believes in need of protection under its Child and Family Services legislation, including administrative decisions GNWT may make to place the Child for adoption under its laws⁶⁹
- If the *Act respecting First Nations, Inuit and Métis Children, Youth and Families* (Canada) is amended or repealed the Child and Family Services Law of the Tłegóhłı Got'ıne Government will remain in force until the FSGA is amended to include a stand-alone Child and Family Services Jurisdiction and the Tłegóhłı Got'ıne Government passes a new law under the newly amended FSGA.⁷⁰

Chapter 18 – Income Support

⁶⁵ Section 15.2

⁶⁶ Section 16.1

⁶⁷ Section 16.2

⁶⁸ Section 17.1.1

⁶⁹ Section 17.2

⁷⁰ Section 17.3

- The Tłegóhłı Got'ıne Government has Jurisdiction and Authority with respect to Income Support for Citizens in the Tłegóhłı Administrative Area, however this does not include setting residency conditions in relation to being eligible for income support.⁷¹
- If the Tłegóhłı Got'ıne Government exercises Jurisdiction and Authority over Income Support, they will negotiate an agreement with GWNT towards the sharing of information.⁷²

Chapter 19 – Social Housing

- The Tłegóhłı Got'ıne Government has Jurisdiction and Authority in the Tłegóhłı Administrative Area with respect to Social Housing for Citizens, however this does not include landlord tenant relations and building and construction codes.⁷³
- If the Tłegóhłı Got'ıne Government exercises Jurisdiction and Authority over Social Housing, they will negotiate an agreement with GWNT towards the sharing of information.⁷⁴

Chapter 20 – Guardianship and Trusteeship

- Following the tenth anniversary of the Effective Date and at a time agreed to by the Parties, the Parties shall address the subject of guardianship and trusteeship. Until then, any property of a Citizen that was under the administration of the Minister of Indian Affairs and Northern Development under the *Indian Act* on the Effective Date will continue to be administered under the *Indian Act*.

Chapter 21 – Wills and Estates

- Following the tenth anniversary of the Effective Date and at a time agreed to by the Parties, the Parties shall address the subject of wills and estates. Until then, any property of a Citizen that was under the administration of the Minister of Indian Affairs and Northern Development under the *Indian Act* on the Effective Date will continue to be administered under the *Indian Act*.

Chapter 22 – Marriage

- The Tłegóhłı Got'ıne Government has Jurisdiction and Authority in the Tłegóhłı Got'ıne Administrative Area with respect to the solemnization and regulation of marriage and will maintain a registry of all marriage certificates issued under Tłegóhłı Got'ıne Law. A marriage solemnized in accordance with the Tłegóhłı Got'ıne Law can only be dissolved by a decree of divorce issued under the federal *Divorce Act* by a court of competent jurisdiction.⁷⁵

Chapter 23 – Settlement Lands

- The Tłegóhłı Got'ıne Government will have Jurisdiction and Authority with respect to the use, management, administration, control, and protection of Settlement Lands within the Tłegóhłı Administrative Area that are listed in schedule C, including:⁷⁶

⁷¹ Section 18.1

⁷² Section 18.2

⁷³ Section 19.1

⁷⁴ Section 19.2

⁷⁵ Section 22.1

⁷⁶ Section 23.2

- Jurisdiction and Authority of a municipal nature in relation to the licensing of businesses, business activities and persons engaged in business on Settlement Lands;
 - Trespass on Settlement Lands;
 - Power to require that a person obtain a permit, license, or other authorization from the Sahtu Land and Water Board (as long as it doesn't conflict with federal or provincial law or the SDMCLCA);
 - Controlling or prohibit the transport, sale, manufacture, or use of weapons on Settlement Land.
 - This Jurisdiction does not include: (a) matrimonial property, including matters relating to family property addressed in the *Family Law Act* (NWT); and (b) the regulation of land, water, and the environment on Settlement Lands – this shall be carried out within the regulatory framework set out in the SDMCLCA, Federal Law and NWT law.
- Schedule C is currently blank and will only be populated with the Settlements Lands shown on the map of the Administrative Area once the Tłegóhłı Got'ıne Government has a written agreement with authorized self-government representatives of the Sahtu community of Tulita and, for Sahtu Parcels 32 and 33, also with the authorized self-government representatives of the Sahtu community of Fort Good Hope and the authorized self-government representative of the Sahtu community of Colville Lake.⁷⁷

Chapter 24 – Gaming and Gambling

- The consent of the Tłegóhłı Got'ıne Government is required for any license or approval of gaming or gambling on Settlement Lands listed in Schedule D or Sahtu Municipal Lands within Tłegóhłı.

Chapter 25 – Liquor and Intoxicants

- The Tłegóhłı Got'ıne Government has Jurisdiction and Authority with respect to the prohibition or control of the sale, exchange, possession, or consumption of Liquor on Settlement Lands listed in Schedule C. This does not include:⁷⁸
 - Manufacture of liquor;
 - Importing or exporting of liquor into or out of the NWT; and
 - Distribution of liquor within the NWT.
- The Tłegóhłı Got'ıne Government has Jurisdiction and Authority with respect to the prohibition or control of the sale, exchange, possession, or consumption of Intoxicants (defined in 1.1.1 as substances “capable of producing an intoxicated state”, e.g. Cannabis and Cannabis derived produces) on Settlement Lands listed in Schedule D. This does not include:⁷⁹

⁷⁷ Section 1.1.1 “Settlement Lands” and section 5.5.

⁷⁸ Section 25.1

⁷⁹ Section 25.3

- Production of intoxicants;
- Importing or exporting of intoxicants;
- Non-retail sale of intoxicants; and
- Distribution of intoxicants.

Chapter 26 – Justice

- **Jurisdiction and Authority.** Jurisdiction to enforce Tłegóhłı Got'ıneę Laws by setting sanctions, alternative and extra judicial measures respecting violation of those laws, hiring enforcement officers, providing for appeals and rehearings of government decisions, and assigning other duties to the Justice Council, appointed by the Legislative Council, which shall be independent from the government.⁸⁰ But the Tłegóhłı Got'ıneę Government does not have Jurisdiction to
 - Establish a police force, regulate police activities or appoint police or peace officers;⁸¹ or
 - Authorize the acquisition, possession, transport, carrying or use of a firearm, ammunition, prohibited weapon or prohibited device as these terms are defined in Part III of the *Criminal Code*.⁸²
- **Limitations on Sanctions.** The sanctions imposed for a violation of Tłegóhłı Got'ıneę Law shall not exceed⁸³:
 - For a term of imprisonment or a fine for an individual, the greater of the term/fine imposed under the *Criminal Code* or NWT Law for summary conviction offences for which no specific punishment is provided;
 - For a fine for a corporation, the greater of \$10,000 or the amount set out in the *Criminal Code* or NWT Law for summary conviction offences for which no specific punishment is provided;
 - The Tłegóhłı Got'ıneę Government may also provide for alternative sanctions that are consistent with the culture and values of the Tłegóhłı Got'ıneę, provided that they have the offenders consent and victims consent (if applicable).
- **Courts.** The Territorial Court of the NWT shall hear and determine a civil matter arising under Tłegóhłı Got'ıneę Law. The Supreme Court of the NWT shall hear appeals of this court. The Tłegóhłı Got'ıneę Government may also provide dispute resolution services as an alternative to litigation in civil matters if the parties to the dispute agree to use those services.⁸⁴

⁸⁰ Section 26.1, 26.2, and 26.3

⁸¹ Section 26.3.4

⁸² Section 26.3.4

⁸³ Section 26.2.2

⁸⁴ Section 26.9

- **Administering Sanctions.** The GNWT is responsible for administering fines or terms of probation and imprisonment imposed by the Territorial Court of the NWT or the Supreme Court of the NWT for violations of Tłegóhłı Got'ıne Law while the Tłegóhłı Got'ıne Government is responsible for enforcement and prosecution of violations of Tłegóhłı Got'ıne Laws. ⁸⁵

Chapter 27 - Tłegóhłı Got'ıne Government Lands

- On the Effective Date, all lands and interests in land held by TGG Inc shall vest in the Tłegóhłı Got'ıne Government.
- Lands vested, granted or transferred under this chapter are not lands reserved for the Indians within the meaning of the *Constitution Act, 1867* or reserves within the meaning of the *Indian Act*.

Chapter 28 – Taxation

- The Tłegóhłı Got'ıne Government has Jurisdiction and Authority with respect to Direct taxation of Citizens within the Tłegóhłı and within Settlement Lands in order to raise revenue for Tłegóhłı Got'ıne Government purposes. This does not limit the taxation powers of Canada or the GNWT. ⁸⁶

Chapter 29 – Financial Principles

- The FSGA contemplates the following Financing Agreements between (1) Canada and the Tłegóhłı Got'ıne Government, and (2) GNWT and the Tłegóhłı Got'ıne Government, which will address the fiscal responsibilities of the parties with respect to Jurisdictions and Authorities exercised and program and service responsibilities assumed by Tłegóhłı Got'ıne Government. ⁸⁷
- A Financing Agreement will set out: manner in which transfer payments may be adjusted and calculated by Canada and the GNWT, accountability requirements, dispute resolution processes, how fiscal capacity is considered, terms, processes for amendment, renewal or termination of such agreements, etc. ⁸⁸

Part III – Indigenous Public Tłegóhłı Got'ıne Government

This is what the Exclusive Indigenous Tłegóhłı Got'ıne Government may choose to become in the future under Chapter 6.

Chapter 30 - Tłegóhłı Got'ıne Government

⁸⁵ Section 26.10 and 26.3

⁸⁶ Section 28.2

⁸⁷ Section 29.2.2, 29.2.3

⁸⁸ Section 29.2

- The structure of the Indigenous Public Tłegóhłı Got'ıne Government is the same as the Exclusive Indigenous Tłegóhłı Got'ıne Government described in Chapter 8 with the addition of a Beneficiary Council. Specifically it would consist of⁸⁹:
 - the elected Legislative Council
 - Composed of 4, 6, 8, or 10 members, plus the President
 - With overall legislative authority for Tłegóhłı
 - the elected President
 - presiding over and a full voting member of the Legislative Council
 - presiding over the Executive Committee if one is appointed
 - the elected Beneficiary Council
 - Composed of 5-9 Citizens who are participants under the SDMCLCA
 - the Justice Council, to be appointed by the Legislative Council
 - Composed of 3-5 individuals
 - the Executive Council, which may be appointed by the Legislative Council
 - Composed of the President and 1-5 individuals
- Only the Beneficiary Council and those elected members of the Legislative Council who are also participants enrolled under the SDMCLCA will make decisions affecting your rights under the SDMCLCA or Settlement Lands.⁹⁰
- The Tłegóhłı Got'ıne Government may delegate any of its Jurisdictions and Authorities to Institutions of the Tłegóhłı Got'ıne Government, another Indigenous government in the NWT, the GNWT, Canada, or any other legal entity with the written agreement of Canada and the GNWT.⁹¹
- The Tłegóhłı Got'ıne Government can establish Institutions that may provide programs or services, which can include economic development and tourism.⁹²

Chapter 31 – Elections for the Tłegóhłı Got'ıne Government

- The Tłegóhłı Got'ıne Government has Jurisdiction in the Tłegóhłı Administrative Area with respect to elections for the Tłegóhłı Got'ıne Government and for those Institutions whose members are elected. The election law will ensure elections are fair and open, conducted by secret ballot, provide

⁸⁹ Section 30.3

⁹⁰ Sections 30.5.4, 30.5.5, and 30.5.7

⁹¹ Section 30.15

⁹² Section 30.4, 30.11

for appeals, ensure there are periodic elections no more than 5 years apart for all elected positions, and provide that any residency requirements do not exceed 2 years.⁹³

- Eligibility to Vote and Nominate⁹⁴:
 - Every Canadian citizen, who has met a residency requirement in the Tłegóhł Administrative Area that does not exceed 2 years, is eligible to vote for and nominate candidates for election to an elected office of the Tłegóhł Got'ine Government and any elected Institutions (except for the office of President and for the positions on the Beneficiary Council);
 - Every Citizen, who is a Canadian citizen, who has met a residency requirement in the Tłegóhł Administrative Area that does not exceed 2 years, is eligible to vote for and nominate candidates for election to the office of the President; and
 - Every Citizen who is a participant under the SDMCLCA, regardless of their place of residence, is eligible to vote for and nominate candidates for election to the Beneficiary Council.

- Eligibility to Stand for Election⁹⁵:
 - The basic rule is that anyone who can nominate a candidate to an office and vote for candidates for that office can stand for election to that office except that:
 - The Tłegóhł Got'ine Law may provide additional restrictions on an individual's entitlement to stand for election, including an age requirement (18+ years), and a residency requirement in Tłegóhł Administrative Area that does not exceed two (2) years. That Election Law may also make all individuals who are entitled to vote eligible to stand for election as President and vote for the President; and

- If the percentage of Citizens ordinarily resident in Tłegóhł relative to the overall population of Tłegóhł is⁹⁶ :
 - Less than 75%, Tłegóhł Got'ine Law may require that where the total number of seats on the Legislative Council is:
 - 5, that up to 3 seats shall be reserved for Citizens,
 - 7, that up to 4 seats shall be reserved for Citizens,
 - 9, that up to 5 seats shall be reserved for Citizens,
 - 11, that up to 6 seats shall be reserved for Citizens.
 - 75%-85%, Tłegóhł Got'ine Law may require that where the total number of seats on the Legislative Council is:

⁹³ Section 31.1

⁹⁴ Section 31.2

⁹⁵ Section 31.3

⁹⁶ Section 31.4

- 5, that up to 3 seats shall be reserved for Citizens,
 - 7, that up to 4 seats shall be reserved for Citizens,
 - 9, that up to 6 seats shall be reserved for Citizens,
 - 11, that up to 7 seats shall be reserved for Citizens.
- 85% or greater, Tłegóhłı Got'ıne Law may require that where the total number of seats on the Legislative Council is:
 - 5, that up to 3 seats shall be reserved for Citizens,
 - 7, that up to 5 seats shall be reserved for Citizens,
 - 9, that up to 6 seats shall be reserved for Citizens,
 - 11, that up to 8 seats shall be reserved for Citizens.

Chapter 32 – Citizenship (like Chapter 10)

- Tłegóhłı Got'ıne Law will ensure that, as of the Transition Date, individuals who are Citizens continue to be Citizens.

Chapter 33 – Language, Culture, and Spirituality (same as Chapter 11)

Chapter 34 – Traditional Healing (same as Chapter 12)

Chapter 35 – Adult Education, Training, Post-Secondary Education and Education Support Services (similar to Chapter 13)

- Removes reference to “Citizens”, however remainder is the same as Chapter 13

Chapter 36 – Early Childhood Education (like Chapter 14)

- Jurisdiction over Children resident in Tłegóhłı, not just “Citizens”; remainder the same as Chapter 14

Chapter 37 – Grade 1 to Grade 12 Education (like Chapter 15)

- Jurisdiction over “Students” in Tłegóhłı not just “Citizens”; remainder the same as Chapter 15

Chapter 38 – Adoption (like Chapter 16)

- The Tłegóhłı Got'ıne Government has Jurisdiction and Authority with respect to the adoption of Children of Citizens in the NWT and Children of residents of the Tłegóhłı Got'ıne Administrative Area’ remainder the same as Chapter 16.

Chapter 39 – Child and Family Services (same as Chapter 17)

Chapter 40 – Income Support (like Chapter 18)

- Jurisdiction over residents of Tłegóhłı not just “Citizens” however remainder is the same as Chapter 18

Chapter 41 – Social Housing (like Chapter 19)

- Jurisdiction over residents of Tłegóhłı not just “Citizens” however remainder is the same as Chapter 19

Chapter 42 – Guardianship and Trusteeship

- If the Parties have addressed the subject of guardianship and trusteeship under Chapter 20 and reached agreement, this chapter shall be amended in accordance with the Parties' agreement.
- If the Parties have not addressed the subject of guardianship and trusteeship prior to the Transition Date then following the tenth anniversary of the Effective Date and at a time agreed to by the Parties, the Parties shall address the subject. Until then, any property of a Citizen that was under the administration of the Minister of Indian Affairs and Northern Development under the *Indian Act* on the Transition Date will continue to be administered under the *Indian Act*.

Chapter 43 – Wills and Estates

- If the Parties have addressed the subject of wills and estates under Chapter 21 and reached agreement, this chapter shall be amended in accordance with the Parties' agreement.
- If the Parties have not addressed the subject of wills and estates prior to the Transition Date then following the tenth anniversary of the Effective Date and at a time agreed to by the Parties, the Parties shall address the subject. Until then, any property of a Citizen that was under the administration of the Minister of Indian Affairs and Northern Development under the *Indian Act* on the Effective Date will continue to be administered under the *Indian Act*.

Chapter 44 – Marriage (same as Chapter 22)

Chapter 45 – Settlement Lands (like Chapter 23)

Chapter 46 – Land Transfers to the Tłegóhłı Got’ıne Government (like Chapter 27)

- On the Transition Date, all lands and interests in land held by the Town of Norman Wells shall vest in the Tłegóhłı Got’ıne Government.
- After the Transition Date, the GNWT will transfer to the Tłegóhłı Got’ıne Government GNWT Lands within Tłegóhłı that it does not need to provide services to residents

Chapter 47 – Local Services

- The Tłegóhłı Got'ıne Government has Jurisdiction and Authority of a municipal nature in Tłegóhłı with respect to ⁹⁷:
 - Programs, services, and facilities provided by or on behalf of the Tłegóhłı Got'ıne Government, including sewers, drainage systems, water distribution and supply, garbage and waste, ambulance services, and recreation;
 - Land use planning, zoning and subdivision control;
 - Licensing of businesses, business activities, and persons engaged in business;
 - Local transportation systems including buses and taxis;
 - Domestic animals and activities in relation to them;
 - Public nuisances and unsightly property;
 - Community roads, except primary highways as defined in the *Public Highways Act*;
 - The operation of all-terrain vehicles, such as vehicles defined in the *All-terrain Vehicles Act*, except on primary highways as defined under the *Public Highways Act*;
 - Purchase and acquisition of real property by the Tłegóhłı Got'ıne Government and the sale, lease, disposition, use, holding, or development of Tłegóhłı Got'ıne Government real property
 - A community flag, crest and coat of arms;
 - The health, safety, and welfare of people and the protection of people and property;
 - People, activities and things in, on, or near a public place, or place that is open to the public, including the imposition of curfews; and
 - Granting utility franchises.

- The Tłegóhłı Got'ıne Government has Jurisdiction and Authority within Tłegóhłı that are the same as the Jurisdictions and Authorities of municipalities under NWT Law in relation to ⁹⁸:
 - Fire protection and prevention;
 - Emergency preparedness and emergency measures;
 - Motor vehicles;
 - Expropriation of interests in lands;
 - Property assessment and property taxation; and

⁹⁷ Section 47.1.1

⁹⁸ Section 47.1.3

- Any other matter that may be provided for in NWT Law not addressed in section 47.1.1.
- The Jurisdiction of the Tłegóhłı Got'ıne Government set out in sections 47.1.1. and 47.1.3 does not include ⁹⁹:
 - Establishing a land titles system;
 - Consumer protection;
 - Regulation of utilities;
 - Occupational health and safety; and
 - Expropriation of mines and minerals.
- The Tłegóhłı Got'ıne Government Laws made under 47.1.1 and 47.1.3 shall provide for health and safety standards and technical codes regarding public works, community infrastructure and local services that are at least equivalent to federal and NWT health and safety standards and technical codes. ¹⁰⁰

Chapter 48 – Gaming and Gambling (like Chapter 24)

- The consent of the Tłegóhłı Got'ıne Government is required for any license or approval of gaming or gambling on the Settlement Lands listed in Schedule C and in Tłegóhłı.

Chapter 49 – Liquor and Intoxicants (like Chapter 25)

- The Tłegóhłı Got'ıne Government will exercise the Jurisdiction and Authority over Liquor and Intoxicants on Settlement Lands listed in Schedule C and in Tłegóhłı

Chapter 50 – Justice (like Chapter 26)

Chapter 51 – Taxation (like Chapter 28)

Chapter 52 – Financial Principles (like Chapter 29)

Schedule A – Description of the Tłegóhłı Administrative Area

Schedule A-1 – Map of Tłegóhłı Administrative Area

Schedule B – Description of Tłegóhłı

Schedule B-1 –Map of Tłegóhłı

⁹⁹ Section 47.1.5

¹⁰⁰ Section 47.2

Schedule C – List of Settlement Lands – intentionally left blank, see explanation above under Chapter 23, “Schedule “C”