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## BACKGROUND

2007OTP0183-001493  
Nov. 21, 2007

Office of the Premier  
Ministry of Aboriginal Relations and Reconciliation

### **MAA-NULTH FIRST NATIONS TREATY SETTLEMENT LEGISLATION**

The Maa-nulth First Nations Final Agreement Act is made up of three components: core provisions; consequential amendments; and a schedule to the bill.

1. The core provisions of the bill give the force of law to the Final Agreement;
2. The consequential amendments deal with existing provincial legislation that is affected by the Maa-nulth First Nations Final Agreement, and
3. The schedule to the bill is the entire Maa-nulth First Nations Final Agreement including the appendices.

Consequential amendments are largely technical updates to ensure consistency between the Final Agreement and other existing provincial laws. For example:

- The consequential amendments to the Hospital District Act will provide for the participation of Maa-nulth First Nations, and future treaty first nations if applicable, in hospital districts. They will also ensure that the Maa-nulth First Nations, and future treaty First Nations if applicable, take on their proportionate share of costs of a hospital district.
- The consequential amendment to the Water Act will implement a commitment in the Final Agreement regarding the establishment of water reservations for Maa-nulth First Nations.

The legislation also refers to the Tax Treatment Agreement and the Harvest Agreement:

- The Tax Treatment Agreement is a side agreement between the Maa-nulth First Nations, B.C. and Canada that was negotiated alongside the Final Agreement; it is not part of the Final Agreement. It provides the Maa-nulth First Nations and related government organizations with municipal-like tax exemptions and refunds related to performing government functions.
- The Harvest Agreement is also a side agreement between the Maa-nulth First Nations, B.C. and Canada negotiated alongside the Final Agreement; it is not part of the Final Agreement. It provides the Maa-nulth First Nations with a renewable, long-term harvest agreement for their fishery. Terms and conditions of commercial licences issued to the Maa-nulth First Nations will be comparable to the terms and conditions for licences held by other fishers in the general commercial fishery.

The Maa-nulth First Nations Final Agreement is the second modern treaty to reach the legislature under the framework of B.C.'s treaty process, established in 1992. It is the first modern treaty involving multiple First Nations negotiated under B.C.'s treaty process.

In British Columbia, treaty negotiations are facilitated through the B.C. Treaty Commission, an independent and neutral body, which follows a six-stage process:

- Stage 1: Statement of Intent to Negotiate
- Stage 2: Readiness to Negotiate
- Stage 3: Negotiation of a Framework Agreement
- Stage 4: Negotiation of An Agreement In Principle
- Stage 5: Negotiation to Finalize a Treaty
- Stage 6: Implementation of the Treaty

To move through the final stage, Implementation, the treaty must first be ratified by the First Nation. The treaty then has to be approved by the provincial legislature and the federal parliament.

For more information about the Maa-nulth First Nations Final Agreement, please visit [www.gov.bc.ca/arr/firstnation/maa-nulth](http://www.gov.bc.ca/arr/firstnation/maa-nulth) online.

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