



**ACFN**  
DENE LANDS AND RESOURCE  
MANAGEMENT (DLRM)

# **ACFN Land Code Information Booklet**



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# What is a Land Code?

*Land Code means First Nations decide what happens on their land. It's about sovereignty, stewardship, and self-determination*

A Land Code is a law created by a First Nation under the Framework Agreement on First Nation Land Management. It gives the community full control over its reserve lands and resources—without needing federal approval.

Once a Land Code is established, 44 sections of Canada's Indian Act no longer apply to ACFN's land and resources.

With a Land Code, ACFN can:

- Manage reserve lands and natural resources without federal approval.
- Create land laws that will protect ACFN lands.
- Approve housing, business, and environmental projects without needing Federal Approval.
- Protect ACFN's rightful claim to its land.

A Land Code will not affect treaty rights, will not affect taxation or tax exemption, will not increase provincial or municipal jurisdiction, and will not affect additions to reserves or land claims.

## **How Is the Land Code Developed?**

**The ACFN Land Code is being collaboratively drafted by the Land Code Development Committee made up of six ACFN members.**

**The committee was selected based on their reserve knowledge and why they wanted to be a part of the initiative.**

**The committee will gather community feedback to ensure the ACFN Land Code reflects ACFN values, traditions, and priorities.**

## **How Can ACFN Members Get Involved?**

**There will be multiple in-person and virtual information sessions held for on-reserve and off-reserve ACFN members to learn more about the Land Code, and to provide feedback on the Land Code.**

**All Land Code Development Committee meeting minutes are posted on the ACFN member's only page for members to stay up to date.**

**Keep an eye out for more information on the ACFN Land Code on the ACFN Facebook page, Hawk app, and website.**

# Land Code vs Indian Act

Topic	Indian Act System	Land Code System
<b>Who controls the land?</b>	Federal government (Indigenous Services Canada)	The First Nation (Chief, Council, and members)
<b>Decision-making power</b>	Ottawa has final say	The Nation makes decisions locally
<b>Land laws &amp; policies</b>	Set by federal government	Created and enforced by the Nation
<b>Approval timelines</b>	Slow – often takes months or years	Fast – decided by the Nation, on its own schedule
<b>Community input</b>	Limited, often after decisions are made	Required and ongoing throughout the process
<b>Economic development</b>	Delays due to federal bureaucracy	Faster leases, permits, and business opportunities
<b>Cultural site protection</b>	No legal obligation to protect sacred sites	The Nation can designate and protect sacred places
<b>Environmental protection</b>	Governed by federal standards	The Nation creates its own environmental standards

Want the full version? Scan this QR code to view all sections a Land Code replaces



# What 44 Indian Act Sections the Land Code Replaces

## In Summary:

- **Land ownership rules (Who can hold or inherit land on-reserve)**
- **Leases & permits (Approval of land use agreements, housing leases, etc.)**
- **Trespass laws & fines (Federal enforcement of land trespassing)**
- **Timber & resources control (Logging, minerals, and other natural resources)**
- **Regulations for farming & roads (Rules for land development and infrastructure)**
- **And more!!!**

**Want the full version? Scan  
this QR code to view all  
sections a Land Code replaces**



# Land Code vs Indian Act



## Land Code



Developed by  
the First Nation



Reserve lands  
are managed by  
the Nation



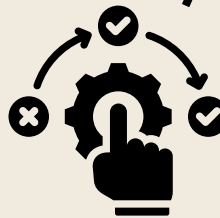
Decisions are  
made by the  
Nation



Decisions are  
made in a quick,  
timely manner



## Indian Act



Decisions are  
made by the  
Federal  
Government



Reserve lands  
are managed by  
the Federal  
Government



Developed by  
the Federal  
Government



Decisions can  
often take  
months to years

# Why Land Code?

*Because ACFN should control ACFN land.*

*Adopting a Land Code means taking back authority from the Indian Act & Ottawa and putting land decisions where they belong: With the Nation, by the Nation.*

*There are over 100 First Nations in Canada who are already operating under a Land Code, with 46 more in the developmental phase.*

## What are the Benefits?

### Self-governance

- ACFN will make its own land laws based on Dene values, not federal policy.

### Protect the land

- ACFN lands will be protected under ACFN laws.

### Support Housing and Development

- A Land Code clears the way for faster housing approvals, economic growth, and job creation - without waiting on Canada.

### No More Delays

- No more waiting months or years for the federal government to approve land decisions.

### Community Driven

- Members help shape the Land Code through open communication - a Land Code is Nation led, not federally driven.

# What Changes vs What Stays the Same

## What Changes

- We write our own rules for how our reserve land is used, leased, and developed.
- We create our own environmental protection laws and enforce them ourselves.
- We control the process for the following projects:
  - Granting land to members for housing or businesses.
  - Approving leases for economic development.
  - Managing community infrastructure projects.
- Our timeline, our decisions, no more waiting on Canada.

## What Stays the Same

- Our reserve lands remain reserve lands, they are still protected and cannot be sold.
- We still receive funding from the Federal Government for land management, but now we decide how it's used.
- **Members do not lose any Treaty Rights, inherent rights, or tax exemption.**
- **Municipal or provincial jurisdiction does not increase.**
- We continue to operate within the framework of Canadian law, but with much more control at the community level.

# Q & A Part 1

## **What is the Framework Agreement?**

- The Framework Agreement on First Nation Land Management is a government-to-government agreement.
- It is an initiative to opt out of the land management sections of the Indian Act and take over responsibility for the management and control of reserve lands and resources.
- The Framework Agreement sets out the principal components of the land management process.

## **What is Land Management?**

- Land management involves day-to-day administration of lands & resources and the right to make laws in respect of those lands & resources.

## **Is the ACFN Land Code a part of First Nation self-governance?**

- Yes, this is one component of self-government and deals only with ACFN lands and resources. Matters related to other topics like elections, governance, taxation, and education are still governed by the Indian Act.

## **Will ACFN's Land Code or the Framework Agreement affect our Treaty?**

- No, neither the Framework Agreement or the Land Code is a treaty and will not affect treaty rights or other constitutional rights of the Nation.

## **Is there any continuing Federal responsibility for ACFN reserve lands?**

- Yes, Canada will still continue to hold title to ACFN. ACFN reserve lands remain a federal responsibility under section 91(24) of the Constitution Act, 1867., however, Canada will no longer have management authority over the land.

## **Who is liable for damages related to ACFN reserve lands?**

- Canada will remain liable and will indemnify ACFN for losses suffered as a result of any act or omission BEFORE the Land Code comes into effect. ACFN is responsible for its own land AFTER the Land Code takes effect.

## **Is the Indian Act still relevant to ACFN if the Land Code is adopted?**

- Yes, approximately  $\frac{2}{3}$  of the Indian Act still apply. Only provisions dealing with land matters will not apply.

# Q & A Part 2

## **Are ACFN Members involved in developing the ACFN Land Code?**

- Yes, ACFN has a Land Code Development Committee made up of six ACFN Members. Additionally, community engagement events, on and off reserve, are planned to gather feedback from ACFN Membership.

## **Are off-reserve Members involved?**

- Yes, ALL Members, who are eligible voters, on and off reserve, can vote on the ACFN Land Code.

## **Does the Land Code need Membership approval?**

- Yes! ACFN can only resume control over their reserve lands with a “YES” vote by the Nation.

## **What lands are governed by the Land Code?**

- Only ACFN reserve land.

## **Are ACFN’s traditional territories governed by the Land Code?**

- No, the ACFN Land Code only governs ACFN reserves.

## **Can ACFN make laws with the Land Code?**

- Yes, ACFN will have the power to make laws regarding development, conservation, protections, management, use and possession of ACFN reserve lands and resources.

## **What powers will ACFN have with a Land Code?**

- ACFN will have all the powers of an owner in relation to its land, except control over title or power to sell. ACFN will be able to lease or develop their land and resources without needing approval from Canada.

## **How will the environment be protected?**

- ACFN will have the power to make environmental laws that deal with environmental assessment and protection.

## **Will ACFN lands be protected under the Framework Agreement?**

- Yes. If the Land Code is adopted, ACFN reserve lands cannot be sold or surrendered for sale. ACFN reserve lands will be immune from any Provincial or Municipal expropriation.

# Q & A Part 3

## **Are other First Nations involved?**

- Yes, there are over 100 First Nations in Canada that have enacted a Land Code.

## **What is the process of developing a Land Code?**

- ACFN's Land Code Development Committee has completed the first draft of the Land Code, now, the draft must be reviewed and approved by the Council and the community. Once the review is completed and approved, Canada drafts the Individual Agreement and ACFN drafts the Community Ratification Process. When the final Land Code draft and the Individual Agreement are completed, ACFN members can vote "YES" or "NO" if they want to adopt the Land Code.

## **What is the Individual Agreement?**

- The Individual Agreement is a document that is negotiated by Canada and ACFN to deal with matters such as lands to be managed, specifics of the transfer, and the funding to be provided.

## **Is funding available to operate under a Land Code?**

- Yes, Canada provides operational funding to manage land, to make, administer & enforce laws, and to administer an environmental assessment & management process.

## **When is the ACFN Land Code vote?**

- There is not an official vote date, however, a vote is projected to happen in late 2026.

## **Where can I see the ACFN Land Code draft?**

- The ACFN Land Code draft and ACFN Land Code Summary will be made available at community engagements and ACFN's Land Code Webpage.

## **Does the Land Code affect Treaty Rights or Inherent Rights?**

- No, the ACFN Land Code only allows ACFN to opt out of the land and resources related sections of the Indian Act. All Treaty Rights and Inherent Rights are not affected.

## **Does the Land Code affect taxation or tax exemption?**

- No, the ACFN Land Code only allows ACFN to govern its own lands without needing Federal approval.

# LAND CODE RIVER MAP



**FORM THE LAND CODE DEVELOPMENT COMMITTEE**

**01**

**DRAFTING OF THE LAND CODE**

**02**

**PRESENT THE LAND CODE DRAFT TO THE COMMUNITY**

**03**

**THE LAND CODE IS VERIFIED, AND ACFN PREPARES VOTER INFORMATION PACKAGES**

**THE COMMUNITY VOTES "YES" OR "NO" ON THE ACFN LAND CODE**

**05**

**04**

## **There are around 120 FN's who are operational under a Land Code, here are examples of their success:**

### **Flying Dust First Nation**

With a Land Code, they were able to develop a community garden that has grown to 172 acres. The garden also features 200 fruit trees and sustains a chicken and bison farm.

### **Whitecap Dakota First Nation**

Under a Land Code, they built Dakota Dunes Resort; a beautiful facility that includes a hotel, restaurant, spa, and a golf course.

### **Henvey Inlet First Nation**

Henvey Inlet First Nation was able to develop a wind farm that can produce electricity for about 70,000 homes and generate up to 10 million in annual revenue.

### **Fort McKay First Nation**

With their Land Code, they were able to pass several laws, including a Trespass Law, Noise Disturbance Law, Long Term Leasing Law, and Community Housing Law

**Having a Land Code has proven successful for many First Nations by saving significant time and money. While prosperity is possible under the Indian Act, it takes far longer and is more costly due to mandatory Federal approvals. With a Land Code, First Nations regain control over their lands and can develop their reserves without federal delays; eliminating years of waiting and reducing major legal and development expenses.**

# ACFN Land Code Outline

## **Preamble**

The Land Code is based on Dene laws, teachings, and responsibilities. It affirms ACFN's inherent right to govern its lands, protect the land for future generations, and replace colonial land-management systems with ACFN authority.

## **Part 1 – Guiding Principles**

- ACFN governs its land under its own laws.
- Members are the original Indigenous occupants with collective and individual rights.
- Treaty 8 and inherent rights remain protected.
- Decisions must reflect Dene culture, customs, and laws.
- The Land Code cannot reduce ACFN lands.
- Amendments require proper community process.

## **Parts 2–4 – Definitions, First Nation Land & Rights Not Affected**

- Applies only to ACFN reserve lands and any future ATR lands.
- Framework Agreement overrides conflicts; Land Code overrides older bylaws.
- Inherent, Treaty, Aboriginal, and constitutional rights are not affected by the Land Code.
- Canada's fiduciary duties and ACFN's ability to pursue claims remain intact.

# ACFN Land Code Outline

## **Parts 5–6 – Law-Making Powers & Enforcement**

- ACFN has full authority to make its own Land Laws (land use, housing, environment, natural resources, safety, cultural protection).
- Draft laws must be shared with Members; meetings gather feedback.
- Urgent laws allowed for emergencies (Like COVID).
- Laws must be published; enforcement tools include fines, tickets, compliance orders, and inspectors.

## **Part 7 – Land Meetings**

- Members may participate in Input Meetings, Information Meetings, and Approval Votes.
- Major laws require Information Meetings.
- Approval Votes required for:
  - Master land use plans
  - Interests/licenses over 99 years
  - Resource extraction over 5 years
  - Matters Council designates

# ACFN Land Code Outline

## **Part 8 – Protection of Community Land**

- ACFN land cannot be sold, seized, or owned.
- Existing interests continue until expiry.
- All new interests must follow the Land Code and be registered.
- Interests revert to ACFN if void, expired, or without heirs.

### **Expropriation**

Allowed only for community purposes (infrastructure, health, education, cultural, safety, environmental protection). Requires good-faith negotiation, an Expropriation Law, and fair compensation.

### **Land Exchanges**

Allowed only if replacement land becomes reserve land first and is of equal or greater benefit.

Community must be informed.

## **Part 9 – Responsible Governance**

- ACFN manages revenues, budgets, audits, and reporting according to financial standards.
- Annual land and financial reports must be presented to Members.
- Conflict-of-interest rules prevent officials from benefiting personally from decisions.

# ACFN Land Code Outline

## **Part 10 – Administrative Authority**

- Land Department manages daily land administration, meetings, registry, permits, policies.
- Transition Committee supports shift away from the Indian Act (up to 8 years).
- Land Authority provides advice on land matters (no final decision-making power).

## **Part 11 – Interests, Licenses & Registry**

- Council may grant land interests and licenses (residential, commercial, agricultural, resource).
- Mortgages require Council approval.
- All land transactions must be registered.

## **Residency & Access**

- Rights extend to spouses, children, and dependents.
- Lawful access for Members, emergency services, trades, and government.
- Trespass is enforceable by ACFN.

## **Natural Resources**

- All natural resources on ACFN land belong to the Nation.

# ACFN Land Code Outline

## Part 12 – Remedies & Dispute Resolution

- A full range of legal remedies applies to protect ACFN land.
- A Lands Tribunal will resolve land disputes fairly and impartially.
- Tribunal decisions may be reviewed by a court only on limited grounds.

## Part 13 – Other Matters

- Land Code Enforcement may include fines, jail, restitution, or community service.
- Council must maintain insurance for officials acting under the Land Code.
- Revisions to the Land Code may fix formatting or add new reserve land; amendments require community approval.
- The Land Code takes effect the first day of the month after verification.
- Nothing in the Land Code limits Treaty, Aboriginal, or constitutional rights, or Canada's obligations.

**Want to see a more  
comprehensive summary  
of ACFN's Land Code?  
Scan the QR code!**





# ACFN

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