

**Summary of the**  
**FRAMEWORK AGREEMENT ON FIRST NATION LAND MANAGEMENT ACT**

(S.C. 2022, c. 19, s. 121)

An Act providing for the ratification and bringing into effect of  
*The Framework Agreement on First Nation Land Management.*

**INTRODUCTION**

The *Framework Agreement on First Nation Land Management* (Framework Agreement) sets out the terms and conditions under which a First Nation can establish its own land governance system and remove its First Nation Land from the Minister's control under the *Indian Act*. The *First Nations Land Management Act* (FNLMA) was given royal assent on June 17, 1999, to ratify the Framework Agreement. However, due to inconsistencies between the FNLMA and Framework Agreement, and upon the insistence of the signatory First Nations of the Framework Agreement, the FNLMA was repealed and replaced by the *Framework Agreement on First Nation Land Management Act* (FAFNLMA) on December 15, 2022.

**FORCE OF LAW**

The Framework Agreement continues to have effect and has the force of law. The new FAFNLMA reflects the primacy of the Framework Agreement by providing that it “continues in effect”, is “binding on His Majesty in right of Canada”, and is “binding on, and may be relied on by, all persons and bodies”. First Nations, Canada, and other governments must refer to the Framework Agreement to understand the exercise of self-government over lands, natural resources and the environment. The Framework Agreement is the guiding document that Canada and First Nations are actively working to implement.

**REFERENCE TO FORMER ACT AND DOCUMENTS AND DECISIONS PREVIOUSLY MADE**

Unless the context otherwise requires, any reference(s) to the former FNLMA, or any provision of the former FNLMA, in any land codes, individual agreements, First Nation laws or documents is to be read as a reference to the FAFNLMA or the Framework Agreement.

For greater certainty, nothing in the FAFNLMA affects any land codes, individual agreements, First Nation laws or documents, or decisions made including the registration of an interest or right in the First Nation Land Register, that were made in accordance with the former FNLMA or the Framework Agreement and that are in force on the day on which the FAFNLMA comes into force.

**NOT A TREATY**

The Framework Agreement is not a treaty within the meaning of section 35 of the Constitution Act, 1982.

**FAFNLMA PREVAILS**

In the event of an inconsistency between the FAFNLMA and any other federal law, the FAFNLMA prevails to the extent of inconsistency or conflict.

## **REGISTER CONTINUES**

The First Nation Land Register, established under the former FNLMA, continues as the First Nation Land Register.

## **EFFECT ON OTHER FEDERAL LEGISLATION**

**Indian Oil and Gas Act:** Any licence, permit, lease or other instrument granted under any other Act of Parliament for the purpose of exploration for or exploitation of oil or gas situated in First Nation lands...

**Westbank First Nation Self-Government Act:** The FAFNLMA does not apply to Westbank First Nation, or its council, members or lands.

**First Nations Oil and Gas and Moneys Management Act:** The FAFNLMA does not apply to oil and gas exploration or exploitation in a First Nation's managed area as of the First Nation's transfer date.