

Metis Settlements Legislation

Alberta is the only province that has passed legislation specifically for Metis people. On November 1, 1990 the Government of Alberta proclaimed legislation that provides for a unique form of government on the Metis Settlements. Developed cooperatively by the Province of Alberta and the Alberta Federation of Metis Settlements Association, this legislation establishes the only Metis land base and the only form of legislated Metis government in Canada. It was created in an effort to accommodate Metis aspirations of securing their land base, gaining local autonomy and achieving self-sufficiency.

The Legislation

The legislation consists of:

- *Metis Settlements Act*;
- *Metis Settlements Land Protection Act*;
- *Constitution of Alberta Amendment Act, 1990*;
- *Metis Settlements Accord Implementation Act*.

These *Acts* establish the constitutional protection of 1.25 million acres of Settlement lands, the development of local government structures and systems, and provincial financial commitments.

On March 26, 1998, the *Metis Settlements Statutes Amendment Act* was given royal assent. This *Act* streamlined

administrative processes, increased the effectiveness of government funding arrangements, and recognized the Settlements as local governments for the purposes of a number of provincial Statutes.

Currently, the province provides \$10 million per year in accordance with the *Metis Settlements Accord Implementation Act*. In addition, the government and the Metis Settlements General Council have entered into a funding agreement is reviewed annually. In 2003, \$5.2 million was provided under this agreement to fund the General Council and individual Settlements.

In addition, a Co-Management Agreement provides opportunities for the Settlements to participate in the development of subsurface resources under the Settlements.

Metis Settlements

Eight Settlements are established by the *Metis Settlements Act*. The Settlements are: Buffalo Lake, East Prairie, Elizabeth, Fishing Lake, Gift Lake, Kikino, Paddle Prairie and Peavine.

Each settlement is run by a five-person Council that is elected by the membership and headed by a chairperson selected by the Council members.

Settlement Councils can make bylaws provided that they do not contravene any provincial law or General Council



policies. Bylaws must be approved by the members of the Settlement. Settlements Councils are also responsible for determining the membership of, and land allocations within, their settlements.

Metis Settlements General Council

The General Council is established by the *Metis Settlements Act*. It is comprised of the elected councillors of all of the Metis Settlements and a four-person executive who are elected by the councillors.

The General Council deals with matters that affect the collective interests of the eight Settlements. It makes policies that are binding on the General Council and every Settlement. Policies are developed in consultation with the Minister of Aboriginal Affairs and Northern Development. Policies dealing with hunting, fishing, gathering, and trapping must be approved by the Lieutenant Governor in Council.

Metis Settlements Appeal Tribunal

The Appeal Tribunal hears appeals between Settlement members and Councils in the areas of land and membership. The Tribunal may also hear other matters provided that all parties agree to send them to it for a decision. The Tribunal is also responsible for insuring mineral lease holders have access to their leased area and determining the compensation for any Settlement members and other parties affected by the lease or project.

The Appeal Tribunal is comprised of appointees from the Metis Settlements General Council and the Government of Alberta. The Chairman is appointed by the Minister from a list submitted by the General Council.

For more information, please contact:
Aboriginal Affairs and Northern Development
1301, 10155 – 102 Street
Edmonton, AB T5J 4G8
Phone: 780/427-8407
Fax: 780/427-4019

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