

SAULT COLLEGE OF APPLIED ARTS AND TECHNOLOGY

SAULT STE. MARIE, ONTARIO

COURSE OUTLINE

COURSE TITLE: Legislation I
CODE NO.: NSA 112-3
PROGRAM Native Community Worker
SEMESTER One
DATE: September 1989
AUTHOR Christopher Reid

New: Revised: X

Approved:

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Chairperson

August <^^
Date

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Native Community Worker Program
NSA 112-3
Legislation 1

Instructor: Christopher Reid

September 1989	Thursday	12:30 - 2:30	F108
	Friday	12:30 - 1:30	E313

This course is designed to heighten the students awareness of past and present legislation pertaining to First Nations- This will include the structure and process of Band government.

GOALS

The goals of this course are to provide the students with an overview of the development of Band government and provide a general knowledge of the stages of the development. Customary Law, Treaties, Indian Act, Aboriginal Rights and Band structure are specific areas which will be studied. With this knowledge the students should be more effective in their work in their community and place of employment.

OBJECTIVES

The objectives of this course are:

1. to provide the students the opportunity to delve into a complicated ever changing area of Native life with a knowledgeable instructor.
2. to allow the students the opportunity to develop an understanding of present day issues like aboriginal rights and the impact of Bill C-31.
3. to develop their learning skills pertinent to laws, application and interpretation.

TEXTS

ABORIGINAL PEOPLES AND THE LAW; Indian, Metis and Inuit Rights in Canada - Bradford W- Morse,
(available in the bookstore)

EVALUATION

Attendance and Participation	20%
Written Assignments	10%
Mid Term Test	20%
Project	30%
Final Exam	<u>20%</u>
	100%

A+ = 90 - 100%
A = 80 - 89%
B = 70 - 79%
C = 60 - 69%

Students will be expected to write the mid term test and final exam on the prescribed date.

Assignments are due "on time" or marks will be deducted-

TOPICS

1. Aboriginal and Constitutional Rights

origins of Aboriginal rights - international law, Royal Proclamation.
the Constitution, the First Ministers Conferences and Meech Lake
court decisions, federal provincial and First Nations views on Aboriginal rights-

2. Treaties

legal status and significance of treaties
"Spirit and Intent" - the interpretation of treaties
treaty harvesting rights - First Nations, governments and judicial views.

3. The Indian Act

Historical Development of the Indian Act
Bill C-31 and First Nations Citizenship codes
Band Councils - elections and structures

4. Band Council Powers

- overview
surrenders and leases of reserve lands
taxation of individuals and businesses
by-law powers

5. Application of Federal and Provincial Laws on Reserve

6- Self-Government

existing arrangements
- current options for bands, child welfare; economic development; natural resources and food harvesting; education; courts, policing and corrections
The Sechelt Agreement
Alternative Funding Arrangements