|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **STATUTE** | **1985** | **1988** | **2000** | **2016** |
| **Animal Health Act** |  |  |  | -[in Definitions] “First Nation” means one of the following1. Carcross/Tagish First Nation,
2. Champagne and Aishihik First Nations,
3. Kluane First Nation,
4. Kwanlin Dun First Nation,
5. Liard First Nation,
6. Little Salmon/Carmacks First Nation,
7. First Nation of Nacho Nyak Dun,
8. Ross River Dena Council,
9. Selkirk First Nation,
10. Ta’an Kwach’an Council,
11. Teslin Tlingit Council,
12. Tr’ondëk Hwëch’in,
13. Vuntut Gwitchin First Nation, or
14. White River First Nation;
 |
| **Archives Act** |  |  |  | -[The objects of the Act are:] (i) the conducting of research with a view to preserving the memory of the indigenous peoples in the Yukon and their mode of living and customs; |
| **Building Standards Act** |  |  |  | -s.5 The building code may be enforced in the jurisdiction of a Yukon First Nation by Minister-appointed inspectors, unless the First Nation says they will appoint their own inspectors.-s.7(6) A Yukon First Nation can establish a body to hear appeals from inspectors it appoints, which will replace hearings by the Board. |
| **Child and Youth Advocate Act** |  |  |  | -“First Nation” means one of the following: [proper names (a) through (n)]-s.3 Guiding principles: “ (g) First Nations have a responsibility for children and youth who are members of their First Nation and a desire to be involved in processes regarding the protection and realization of their member’s rights and interests;”-s.4(5) Advocate qualifications to be considered include “(a) the person’s understanding of First Nation culture, traditions, values, beliefs and history;”-s.14(1-3) The Advocate must notify a First Nation if they are taking action on behalf of a First Nation youth, or must not if a parent or other authorized decision-maker for the child objects. |
| **Child Care Act** |  |  |  | -objects of the act: “ (c) recognize and support the aspirations of Yukon First Nations to promote and provide culturally appropriate child care services.”-ss. 34,36: the Minister may enter into certain agreements with Yukon First Nations |
| **Cooperation in Governance Act** |  |  |  | -Preamble: [recognizing significance of self-governing Yukon First Nations]-“Yukon first Nation” means one of the following [(a) to (n)] |
| **Crime Prevention and Victim Services Trust Act** |  |  |  | -s.5(1) The trust shall be managed by a board that consists of… the following appointed members: “ (d) two persons recommended by the Minister of Justice from among persons nominated by the Council of Yukon First Nations, other Yukon First Nations, and First Nation organizations with an interest in justice issues;” |
| **Economic Development Act** |  |  |  | -Preamble: [recognizing contributions from “the traditional economy of the aboriginal people”]-s.5(1) the Minister may make contracts/agreements with various types of entities and persons including “a Yukon First Nation” |
| **Education Act** |  |  |  | -Preamble: [curriculum must recognize multiculturalism and “the cultural and linguistic heritage of Yukon aboriginal people”-proper names?: “Central Indian Education Authority” [“a body established by the Council for Yukon First Nations to act for it on educational matters”]; “Local Indian Education Authority” [“a body established by a Yukon First Nation to act for it on educational matters”]-““aboriginal people” means those persons who are members or entitled to be members of a Yukon First Nation”-““Yukon First Nations” means the Yukon bands recognized from time to time by the Council for Yukon First Nations”-s.22(2) “A student is excused from attendance at school if (c) the student is a participant in Yukon aboriginal cultural activities or in aboriginal harvesting activities” |
| **Employment Standards Act** |  |  |  | -s.60(3) “If an employee is designated by the family of a deceased member of a First Nation as the person responsible for organizing the funeral potlatch for the deceased, the employee is entitled to bereavement leave under subsection (2).” [i.e. as if a member of the employee’s own family had died?] |
| **Environment Act** |  |  |  | -“Yukon First Nation” as defined in the Comprehensive Land Claim Umbrella Final Agreement-s.53(1) In the administration of this Act, the Minister shall [be considerate of Yukon First Nation members and communities, (a) to (e)]; (2) Minister may make agreements with Yukon First Nations in respect of settlement lands |
| **Evidence Act** |  |  |  | - “country of the British Commonwealth” means Australia, **Ceylon**, India, New Zealand, Pakistan, and the Union of South Africa, and all colonies, dependencies or territories of any of those countries or of the United Kingdom or of Canada; [**Ceylon = Sri Lanka’s colonial name?]** |
| **First Nation Indemnification (Fire Management) Act** |  |  |  | -“First Nation” in title- “Yukon First Nation” has the same meaning as in the Act Approving Yukon Land Claims Final Agreements. |
| **First Nations (Yukon) Self-Government Act** |  |  |  | -“First Nations” in title-“Yukon First Nation” means one of the following [(a) through (n) nations] |
| **Forest Resources Act** |  |  |  | -Preamble: “ Recognizing that Yukon forests play an important role in the social and cultural lives of Yukon residents, and that **Yukon Indian People** have a special relationship with these environments;”-“traditional territory” (a) [has the same meaning as in first nation final agreements other than the Tetlit Gwich’in’s], (b) [is the same as described in parts of the Gwich’in land claim agreement], (c) […].-s.7(2) [Minister must consult with a first nation whose traditional territory falls within a forest resources management planning area]-PART 3 s.15(2) [Restrictions on forest resource harvesting **do not apply to** “(d) **a Yukon First Nation person** exercising his or her forest resources harvesting rights under” [sections] “of his or her first nation final agreement.”] |
| **Health Act** |  |  |  | -Preamble: “that traditional aboriginal healing practices should be respected;”-s.5(1): “secure aboriginal control over traditional aboriginal nutritional and healing practices”; s.5(2): [Minister shall promote mutual understanding/respect between health care providers in the health and social service system and from aboriginal nutrition and healing traditions]  |
| **Highways Act** |  |  |  | “first nation” [referred to as a kind of government] |
| **Historic Resources Act** |  |  |  | -s.3(2) [This Act applies to Tetlit Gwich’in Yukon Land if] “(d) the references to a **Yukon Indian Person** **or** **Indian person** were references to a Tetlit Gwich’n as defined in the Transboundary Agreement”-“**Indians”, “Indian people”, “Yukon Indian people”**-s.70(3) “The ownership and right to possession of human remains of **non-Indians** that are found by any person in settlement land vests in the Government of the Yukon.”-s.75 [translation services for people monolingual in an aboriginal language must be provided at a hearing before the board] |
| **Hospital Act** |  |  |  | -s.6(3) [there is a First Nations Health Committee with the authority to determine the effect of health care program changes on “First Nations citizens”]; s.6(4) [the committee is also in charge of remedying the under-representation of First Nations citizens in health care delivery] |
| **Human Rights Act** |  |  |  | -Preamble: “That it is just and consistent with Canada’s international undertakings to recognize and make special provision for the unique needs and cultural heritage of the aboriginal peoples of the Yukon,” |
| **International Child Abduction (Hague Convention) Act** |  |  |  | -Article 25: “Nationals of the Contracting States and persons who are habitually resident within those States shall be entitled in matters concerned with the application of this Convention to legal aid and advice in any other Contracting State [as if they were nationals of the other State]” |
| **International Commercial Arbitration Act** |  |  |  | -Article 11-1. No person shall be precluded by reason of his nationality from acting as an arbitrator, unless otherwise agreed by the parties.-Article 11-5: “…in appointing an arbitrator,.. in the case of a sole or third arbitrator, shall take into account… the advisability of appointing an arbitrator of a nationality other than those of the parties.” |
| **Jury Act** |  |  |  | -“Yukon First Nation” has the same meaning as in An Act Approving Yukon Land Claims Final |
| **Land Titles Act** |  |  |  | -Heading above s.79: “ Plans of surrendered **Indian reserves**”-s.136 different persons authorized to witness the execution of an instrument depending on the country; Britain/Ireland/Scotland in a single category |
| **Languages Act** |  |  |  | * s.1(2) The Yukon wishes to extend the recognition of French and the provision of services in French in the Yukon.
* s.2(3) [Recognizes the significance of aboriginal languages in the Yukon]
 |
| **Legal Profession Act** |  |  |  | s.1(2) No person, other than a member, is permitted to engage in the practice of law, except (b) an aboriginal court worker [sounds racist on its face, but are there “aboriginal courts” in the Yukon?](5) A person must not falsely represent himself, herself or any other person as being (b) an aboriginal court worker, a student-at-law, or a law clerk |
| **Municipal Act** |  |  |  | -“Yukon First Nation” has the same meaning as in An Act Approving Yukon Land Claim Final Agreements-[Yukon First Nation referring only to governments, not to residents or people living there] |
| **Oil and Gas Act** |  |  |  | -“Yukon First Nation” has the meaning given to it by the Umbrella Final Agreement-s.68(3) “A benefits agreement (a) shall contain undertakings by the licensee to provide opportunities for the Yukon First Nation, its citizens, residents of communities affected by the oil and gas activity, and other Yukon residents [for jobs and opportunity to supply licensee with goods and services]”-[Yukon First Nation otherwise referred to as a kind of government] |
| **Ombudsman Act** |  |  |  | -“Yukon First Nation” has the same meaning as in the First Nations (Yukon) Self-Government Act.-[Yukon First Nation otherwise referred to as a kind of government] |
| **Parks and Land Certainty Act** |  |  |  | -proper name: “Frenchman Lake Campground” (pg 40)-Yukon First Nation throughout |
| **Placer Mining Act** |  |  |  | -“First Nation”, in respect of [a land use operation], means a Yukon First Nation (as defined in An Act Approving Yukon Land Claim Final Agreements) whose existing or asserted aboriginal or treaty rights may be affected by the operation; |
| **Quartz Mining Act** |  |  |  | -“First Nation”, in respect of [an exploration program], means a Yukon First Nation (as defined in An Act Approving Yukon Land Claim Final Agreements) whose existing or asserted aboriginal or treaty rights may be affected by the exploration program-provisions about consultation with potentially affected First Nations: s.133(1)(b), s.133(2)(a-c) |
| **Recreation Act** |  |  |  | -s.16(2) The community organization shall not be appointed under subsection (1) [as a local authority] unless (b) the organization is […] or is a First Nation; |
| **Scientists and Explorers Act** |  |  |  | -s.2(2)Every applicant for a licence shall furnish to the Minister an accurate statement showing the number, identity, and nationality of the persons who will accompany the applicant as well as the applicant’s own identity and nationality. |
| **Statistics Act** |  |  |  | -[Yukon First Nation ~ municipality, other governments – s.12] |
| **Territorial Court Act** |  |  |  | -s.9 [judge position applicants are assessed on the basis of criteria including “familiarity of the applicant with[…] Yukon First Nations issues and concerns”] |
| **Victims of Crime Act** |  |  |  | -Preamble: “Yukoners recognize and value their diversity, and acknowledge the special role that a victim’s family, clan, community, First Nation or other group can play in supporting and caring for the victim.”-“Yukon First Nation” means one of the following [a-n First Nations]-s.7(2)(c) [Programs and services for victims are, where reasonably possible, to take into account] the cultural diversity of Yukon people, and in particular the cultures of Yukon First Nations;-s.13 [Minister may enter into agreement with a Yukon First Nation for certain purposes] |
| **Waters Act** |  |  |  | s.29 [when a licensee or applicant applies for permission to expropriate land] (11) “Where an interest in land referred to in subsection (10 is to be affected as described in subsection (1) without the agreement of the Yukon First Nation or Gwich’in Tribal Council, [public hearing must be held, notice of intention to obtain approval of the Commissioner must be sent]” |
| **Wilderness Tourism Licensing Act** |  |  |  | -“wilderness tourism activity” means any type of commercially guided tourism activity occurring in the wilderness, including[skiing, dog mushing, photographic safaris, etc.] and First Nation cultural interpretive tours.-[“Yukon First Nation” otherwise referred to as a type of government] |
| **Wildlife Act** |  |  |  | -“Inuvialuit” means those people known as Inuvialuit, Inuit, or **Eskimo** who are beneficiaries under the Inuvialuit Final Agreement; [note: “Inuvialuit” is plural, “Inuvialuk” is singular]-[Yukon First Nation otherwise referred to as a kind of government]-s.206 “Despite section 204, an Inuvialuk must, upon request by a conservation officer, show proof of status as an Inuvialuit.”-s.207 “Despite subsection 8(1), an Inuvialuk may harvest a species of specially protected wilflife if [conditions a and b are met]” |
| **Workers’ Compensation Act** |  |  |  | -s.37(1) “In the treatment of work-related injuries, the board of directors or the board shall, when appropriate, promote mutual understanding, knowledge, and respect between the providers of health services under the health system and the providers of traditional First Nations or Inuit nutrition and healing.” |
| **Yukon Advisory Council on Women’s Issues Act** |  |  |  | -s.5(2) [members of the council shall be representative of the women of the Yukon including Yukon First Nation women]; (3) “At least 50 per cent of the members shall be from rural areas and at least 25 per cent of the members shall be members of Yukon First Nations.” |
| **Yukon Day Act** |  |  |  | -preamble: Recognizing […] That the lives, traditions and cultures of the the peoples of Yukon First Nations and all others who have come to this land deserve honour and respect, |
| **Yukon Foundation Act** |  |  |  | -[Yukon First Nation is referred to as a kind of government] |
| **Yukon Land Claim Final Agreements, An Act Approving** |  |  |  | -“Yukon First Nation” means one of the following: [a-n First Nations]-**“Yukon Indian Person”** means a person enrolled under the Agreement or under a Subsequent Agreement. |
| **Yukon Tartan Act** |  |  |  | -[the Yukon Tartan is registered in the books of the Lord Lyon King of Arms in Scotland] |