



INDIVIDUAL AGREEMENT SUMMARY

Cowichan Tribes is a First Nation in Canada who is party to a Framework Agreement on First Nation Land Management. The federal government is also a party to the agreement and ratified it through the First Nation Land Management Act on June 17, 1999.

The Agreement and legislation enable these First Nations to take over management and administration of their reserve lands from Indigenous and North Affairs Canada. In order to do this, each First Nation must enter into an Individual Agreement with Indigenous and Northern Affairs Canada. The Individual Agreement sets out the specifics of the transfer of management of reserve lands from Canada to Cowichan Tribes.

This summary outlines the sections included in the Individual Agreement. In addition, there are the following supporting information annexes:

- **Annex A** Funding provided by Canada
- **Annex B** Details for the Revenue Moneys Transfer
- **Annex C** List of Interests and Licenses granted by Canada
- **Annex D** List of all Existing Information in Canada's Possession Respecting any Actual or Potential Environmental Problems with the First Nation Lands in a Phase I Environmental Site Assessment
- **Annex E** List of Material Information Provided by Canada that Materially Affects Interests and Licenses
- **Annex F** Interim Environmental Assessment Process
- **Annex G** Descriptions of Cowichan Tribes Land

This document should not replace reading the full Individual Agreement; however it will highlight the key points from each section. We encourage all members to read the full Individual Agreement and other supporting documents, which can be found at:

<https://www.cowichantribes.com/landcode/>

SUMMARY OF INDIVIDUAL AGREEMENT

SECTION 1 – INTERPRETATION

Defines the terms that are used in the Agreement, including identifying Cowichan Tribes reserve land that will be transferred.

SECTION 2 – INFORMATION PROVIDED BY CANADA

Confirms that Canada has provided Cowichan Tribes with all the information in its possession regarding dispositions of reserve lands, environmental issues on reserve lands and any similar information.



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SECTION 3 – TRANSFER OF LAND ADMINISTRATION:

Transfers all of Canada's rights, obligations, powers and authorities in or under all previous interests or licenses affecting reserve lands to Cowichan Tribes.

SECTION 4 – ACCEPTANCE OF TRANSFER OF LAND ADMINISTRATION

Confirms that the Individual Agreement is made in accordance with the *Framework Agreement on First Nations Land Management*. Canada will transfer the management and control of Cowichan Tribes reserve lands to Cowichan Tribes on the effective date of the Individual Agreement and once eligible voters of Cowichan Tribes approve the Individual Agreement through a vote. Cowichan Tribes will then begin managing and controlling its lands and natural resources under its Land Code.

SECTION 5 – OPERATIONAL FUNDING

Obligates Canada to provide Cowichan Tribes with funding and resources for managing reserve lands. The amount of funding is determined by a funding formula, which is negotiated on a five-year basis.

SECTION 6 – TRANSFER OF REVENUES

Obligates Canada to transfer to Cowichan Tribes any moneys it holds in trust for the use and benefit of Cowichan Tribes and any revenues it receives from reserve lands.

SECTION 7 – NOTICE TO THIRD PARTIES OF TRANSFER OF ADMINISTRATION

Requires Cowichan Tribes to notify any non-members who hold an interest in reserve land that management of reserve lands will be transferred to Cowichan Tribes and that Cowichan Tribes will collect the revenues from those interests in the future.

SECTION 8 – INTERIM ENVIRONMENTAL ASSESSMENT PROCESS

Provides that until a separate agreement on addressing environmental concerns is settled the environmental assessments of projects on Cowichan Tribes land shall be conducted on those sites outlined in the Environmental Assessment report in Annex D.

SECTION 9 – AMENDMENT

Provides that the Agreement may only be amended by agreement of the parties and any amendment must be in writing and executed by an authorized representative of the parties.

SECTION 10 – NOTICES BETWEEN THE PARTIES

Provides that any notice or other official communication under the Agreement must be in writing addressed to the party for whom it is intended and the specified methods, i.e., personal delivery, registered mail or courier, facsimile, or electronic mail. This section also contains the addresses of the parties to the Agreement.

SECTION 11 – DISPUTE RESOLUTION

Provides dispute resolution provisions that apply to any disputes between Canada and Cowichan Tribes regarding the Individual Agreement.

SECTION 12 – DATE OF COMING INTO FORCE

Provides that the Individual Agreement comes into force at the same time as the Land Code.