

*James Bay Agreement*

be read into the record because of the significant contribution they made.

The bands covered by this legislation will have significantly greater power than those falling under the Indian Act. In effect, this legislation will be the mechanism by which the Cree will control their own lands and their own affairs. The Indian Act will virtually no longer apply to the Cree bands or the Naskapi bands, with the exception of certain sections. Many of the concepts of the principle of Indian self-government are reflected in this legislation.

The James Bay and Northern Quebec Agreement, signed on November 11, 1975, was an important first step in agreements of this nature. However, we are all aware of the problems that were encountered with the implementation of that Agreement and we must not let the same type of thing happen in this instance. As we know, there was a Bill presented in the House in 1977 which received Royal Assent, I believe, on October 31 of that year and which confirmed the James Bay Agreement of 1975. That Agreement established a unique relationship between the bands and the federal and provincial governments. I think the present Bill will further that unique relationship.

Although the proposals in this legislation are not—I should emphasize this—a result of the report on Indian self-government and this should not be considered a model for self-government, I am sure everyone will be watching this particular piece of legislation and its implementation with great interest.

Under the present legislation the bands will be incorporated and membership will continue to be defined as in Section 3 of the James Bay and Northern Quebec Agreement. The present legislation will further cover those Indians who were not previous Cree beneficiaries but became so between 1975 and 1984. This Act confers upon the band the power to make by-laws of a local nature for the good government on category 1A lands of the inhabitants of those lands, and in areas concerning the administration of band affairs and the internal management of the band; the regulation of buildings and other structures for the protection of public health and safety, health and hygiene, public order and safety; by-laws for the protection of the environment, including natural resources, and for the prevention of pollution; for taxation for local purposes; by-laws for roads, traffic and transportation; and parks and recreation, just to name a few.

Bands will also have the power to make by-laws with respect to land and resource use and planning, zoning, subject to the approval of the electors, for hunting, fishing and trapping, and the protection of wildlife. Band elections, meetings and referenda are also provided for and the powers of the chief, committees of council and band bodies are set out.

The powers and responsibilities of the bands in the area of financial administration are spelled out. The Bill sets out the budgetary requirements, such as record keeping and disclosure requirements, for the bands. Audit requirements are spelled out as well as provisions for the procedures to be used in cases

of serious financial disorder. Each band must have a budget for each fiscal year. Residents and access rights on 1A and 1A-N lands are detailed.

Although ownership in these lands is still vested in Quebec—I believe it is called naked ownership in the law—the bands have exclusive rights to the uses and benefits of these lands. They can use them as if they are their own. The mineral, subsurface and mining rights are retained by Quebec, but only with the approval of the band and with compensation to the band can any material be extracted from these lands. The band will have the exclusive right to forestry resources, subject to provincial approval.

With this legislation, a Cree-Naskapi commission is to be established. This commission will review the implementation of the Cree-Naskapi Act and report to Parliament. As I understand it, the commission will have the power to investigate complaints in any area covered by the Bill. The chairman of this commission is to be designated by the Governor in Council and the members of the commission are to be appointed by the Governor in Council on the advice of the Cree regional authority and the Naskapi bands. I feel very strongly and hope that some of this commission would be made up of Cree and Naskapi and probably the elders of those bands.

All this is to say that this is a very extensive, comprehensive piece of legislation which will allow the Crees and the Naskapis to preserve their traditions and at the same time allow for their political and economic evolution.

The Crees of Quebec have been managing and administering their education, social and health services very successfully for a number of years. These matters were vested in regional bodies, the Cree Board of Health and Social Service of James Bay and the Cree School Board. I am confident that they will handle the balance of their responsibilities with equal competence.

The unique relationship between the Governments of Quebec and Canada and the Cree and Naskapi people is one that has taken a great number of years and long hours of negotiation to arrive at. Some 20 pieces of provincial legislation have had to be amended or introduced in the Province of Quebec and the federal Government has finally introduced this Bill, as it was permitted to do. All the hard work and long hours have resulted in a workable agreement and legislation that has been agreed to by all interested parties.

I think it is fair to say that this is an example of how, through negotiation and hard work, we can arrive at a suitable agreement which will allow our aboriginal peoples to take control of their own lives once again. I think it is also a signal to the aboriginal peoples of this country that the Party which I represent is dedicated to continuing the process of returning responsibilities for their future to the Indian First Nations across this country. I want the public record to show today that, despite some of the concerns and opposite opinions that have been expressed across this country, our Party is dedicated