

the 1985 amendments in its Fifth Report to Parliament. Part of this review included the June 1987 Implementation Report of the Minister of Indian Affairs and Northern Development. The Minister was unable at that time to report, as required by statute, on the impact of the amendments on band resources. The Honourable Pierre Cadieux, when serving as Minister of Indian Affairs and Northern Development, indicated his intention to table such a report in June 1990. Three national aboriginal organizations have been funded by the Department to assist in gathering information on this subject.

## **8. Traditional and Elective Systems of Government**

The *Indian Act* allows bands to operate their local system of band government either under an elective system or by "custom" (traditional forms of government) pursuant to ss. 74-79 of the Act. More than 40% of *Indian Act* bands select their leaders according to custom.

The elective system of band councils under the *Indian Act* was initially created by the federal government, and in the late 19th century was imposed on many First Nations with the objective of displacing traditional forms of government. Today however, the government seeks to accommodate traditional and contemporary political values of the communities concerned, within the limitations of the *Indian Act* and to improve the elective system for those who want it. As part of its Lands, Revenues and Trusts Review, the Department of Indian Affairs and Northern Development is examining such issues as: how to strike an appropriate balance between individual and collective rights; the extent of federal review powers over locally developed election rules; how best to meet the wishes of bands under the elective system to define their own rules for conducting elections (this matter is currently prescribed by a uniform set of federal regulations); and in general how to realize greater control by First Nations people over the election and appeal process.

## **9. The Trust Relationship**

A fundamental aspect of the historical relationship between the Crown and the aboriginal peoples of Canada is the special relationship established between the federal Crown and the First Nations of Canada. This relationship is reflected in the assignment of federal