

RESERVING RIGHTS AND INTERESTS

39. (1) The holder of a lease, occupation permit or other grant or authorization in respect of lands that become lands of an Indian Nation that is recognized may, if the lease, occupation permit or other grant or authorization has not expired at the time of recognition, continue to exercise his rights thereunder until the end of the term fixed therein.

(2) Where, immediately before an Indian Nation is recognized, a person was in possession of, or occupied, with the explicit consent of a band,

(a) lands of the band that became lands of the Indian Nation, or  
(b) a building owned by a band on such lands,

but that person was not a holder of a right or interest in that land or building (the Indian Nation shall, if that person so requests within two years after recognition, forthwith grant to that person a right or interest in the land or building that is equivalent to the circumstances taking into account that person's possession or occupation and all other relevant factors.

APPLICATION OF LAWS OF CANADA

40. Subject to the terms of any agreement made pursuant to section 18, 21, 23 or 25 and subject to the constitution of an Indian Nation, all federal laws of general application in force in Canada are applicable to and in respect of Indian Nations that are recognized, their members and their lands, except to the extent that such laws are inconsistent with the Act or any other regulation or law made thereunder by the Government in Council or the governments of the Indian Nations.

APPLICATION OF PROVINCIAL LAWS

41. Provincial laws of general application do not apply to or in respect of Indian Nations that are recognized, their members or their lands to the extent that the provincial laws are inconsistent with or in conflict with the terms of any treaty, any agreement made pursuant to section 18, 21, 23 or 25,

DROITS ET INTERETS RESERVEES

39. (1) Le titulaire d'un droit, d'autorisation ou d'autorisation de location ou d'autorisation de location, allié à des terres devant être reconnues à une nation indienne reconnue, peut, si son droit est encore valide lors de la reconnaissance, continuer son droit jusqu'au terme prévu dans son titre.

(2) Toute nation indienne reconnue est reconnue d'avoir immédiatement avant sa reconnaissance, avec le consentement explicite de la bande et jusqu'à la reconnaissance, possédé un bâtiment ou un terrain appartenant à la bande sur ces terres, sans que cette personne soit titulaire d'un droit ou d'un intérêt sur ces terres ou ce bâtiment, ou dont elle soit titulaire en l'occurrence, compte tenu de la possession ou de l'occupation elle-même et des circonstances, à condition que l'intéressé ne fasse la demande dans les deux ans suivant la reconnaissance.

(a) les terres de la bande qui sont devenues des terres de la nation indienne, ou  
(b) un bâtiment appartenant à la bande sur ces terres,

mais que cette personne n'était pas titulaire d'un droit ou d'un intérêt sur ces terres ou ce bâtiment (la nation indienne reconnaîtra, si cette personne le demande dans les deux ans suivant la reconnaissance, de donner à cette personne un droit ou un intérêt dans la terre ou le bâtiment qui est équivalent aux circonstances tenant compte de sa possession ou de son occupation et de tous les autres facteurs pertinents.)

APPLICATION DES LOIS FEDERALES

40. Sous réserve des clauses d'un accord conclu en vertu des articles 18, 21, 23 ou 25 et sous réserve des constitutions des nations indiennes, l'ensemble des lois fédérales de portée générale en vigueur au Canada s'appliquent aux nations indiennes reconnues, à leurs membres et à leurs terres, sauf incompatibilité avec la présente loi ou les textes pris sous son régime par le gouvernement en conseil ou les gouvernements des nations indiennes.

APPLICATION DES LOIS PROVINCIALES

41. Les lois provinciales d'application générale ne s'appliquent pas aux nations indiennes reconnues, à leurs membres et à leurs terres au cas d'incompatibilité avec les dispositions de traités ou d'accords conclus en vertu des articles 18, 21, 23 ou 25, les constitutions de ces nations, la présente loi ou

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