Schedule 1 to Executive Council Resolution dated May 27, 1997

Sagkeeng Onakonigawin

WHEREAS:

The Creator made the Anicinabek responsible for their own governance; and

The Creator gave to the Anicinabek Seven Teachings to guide their governance; and

The Anicinabek exercised their governance as a sovereign nation; and

By Treaty, the Anicinabek accepted the sovereignty of Her Majesty the Queen of Great Britain and Ireland and of Her heirs and successors in Right of Canada; and

By making Treaty with the Anicinabek, Her Majesty recognized them as a sovereign people; and

The Anicinabek governed themselves by laws based on the Seven Teachings, utilizing the traditional law-making process; and

The Anicinabek made their laws in Ojibway without writing; and

The Anicinabek have determined to make certain laws in writing in English as well as Ojibway so that others may know them; and

The Anicinabek have determined to set forth in writing their law-making process and related matters;

THEREFORE the Anicinabek, upon the direction of the Lawmakers Assembly, with advice from the Councils and with the benefit of public consultation, and upon acceptance by the Lawmakers Assembly and adoption by the Executive Council, make this law:

Name

1. This law may be referred to as **The Process Law**.

Laws in writing

2. The Anicinabek may make laws as provided by this law.

Process

3. A law may be made as follows:

   a) the Anicinabek may, by Resolution at a Lawmakers Assembly, direct that a law shall be made;

   b) a draft law shall be prepared by the Executive Council in accordance with the Assembly Resolution;

   c) the draft law shall be submitted to public consultation;

d) the draft law shall be revised by the Executive Council as deemed appropriate in response to the public consultation;

e) the draft law shall be submitted to a Lawmakers Assembly for acceptance or rejection;

f) if the draft law is accepted by the Lawmakers Assembly, the Executive Council shall formally adopt it as a law;

g) the Government Secretary shall then certify and proclaim the law under Seal of the Nation.

Further revision

4. The Executive Council may revise and resubmit to a Lawmakers Assembly a draft of a law which was rejected.

Legal opinion

5. The Government Secretary shall obtain an opinion of counsel as to the harmony of the draft law with other laws including laws of other relevant jurisdictions.

Public information

6. During public consultation, the Government Secretary shall deposit at each public registry a copy of the Assembly Resolution, the draft law, and the opinion of counsel.

Consulting the Councils

7. During public consultation, the Government Secretary shall submit copies of the Assembly Resolution, the draft law and the opinion of counsel to the Councils and they may provide recommendations concerning the draft law.

Public copies of recommendations

8. The Government Secretary shall deposit at each public registry a copy of recommendations received from the Councils.

Additional consultation

9. The Executive Council shall arrange for such further public consultation as it may deem appropriate to inform and obtain the views of persons who may be affected by a law.

Revising a draft law

10. Following public consultation, the Executive Council shall revise the draft law as it may deem appropriate having regard to recommendations of the Councils and to advice received from others.

Public copies of a revised draft law

11. The Government Secretary shall deposit a copy of the revised law in each public registry.

Submitting a draft law to an Assembly

12. The revised Law shall be submitted to a Lawmakers Assembly for acceptance or rejection.

Adopting a law

13. The Executive Council shall by Executive Council Resolution adopt, without substantive amendment, a law which has been accepted by a Lawmakers Assembly, and the Resolution may specify the date or dates on which all or any part of the law shall take effect.

Certifying a law

14. The Government Secretary shall certify under Seal that the law was made in accordance with the requirements of this law.

Safekeeping

15. The Government Secretary shall keep the original and a certified copy of each law in separate places.

Proclaiming a law

16. The Government Secretary shall proclaim each law by depositing a certified copy of it and of the Executive Council Resolution adopting it in each public registry, and by such other means as the Executive Council may, by Executive Council Resolution, direct.

Keeping laws in safe custody

17. The Government Secretary shall keep one original or certified copy of each law at the offices of Sagkeeng Nation and the other at another secure place.

Taking effect

18. Unless otherwise specified, a law shall take effect seven days after the day on which it is proclaimed.

19. Every person is bound by a law only after receiving notice of the law and having reasonable opportunity to comply.

Making regulations

20. The Executive Council may, by Executive Council Resolution made after such public consultation as it deems appropriate, adopt regulations for effectively administering this law, including regulations for fixing the places which will serve as public registries, for providing certified copies of laws, for setting fees to be charged for certified copies of laws, and for providing certified copies of laws to parliamentary, legislative or other libraries without charge.

Validity of laws

21. A law shall be valid even if there is an administrative defect in meeting requirements of this law, but shall not be enforced against any person who would be prejudiced by reason of such administrative defect.

Continuation and governance

22. This law shall not amend the powers and prerogatives of the Sagkeeng Anicinabe Government.

23. The Lawmakers Assembly shall continue as the supreme legislative authority of the Anicinabek.

24. The Executive Council shall continue to exercise the executive powers and responsibilities of the Sagkeeng Anicinabe Government.

25. The Executive Council may continue to exercise the powers and responsibilities of the Band Council pursuant to the Indian Act.

26. The Government Secretary shall have custody of the Seal of the Nation.

27. The Judicial Council may advise as to the interpretation of laws.

Transitional provisions

28. Until other provision is made by law, the Chief and Councillors of the Band pursuant to the Indian Act shall continue to act as the Chief and Councillors of the Nation.

29. Every person who is a member of the Band when this law takes effect shall be deemed to be a member of the Nation.

Definitions

30. In this and every law, unless a contrary intention is expressed:

"the Anicinabek" means the Sagkeeng Ojibway tribe;

"the Band" means the Band defined by the Indian Act and known by the name "Sagkeeng First Nation";

"the Councils" means the Elders' Council, the Womens' Council, the Mens' Council, and the Youth Council, or such of them as may assemble from time to time;

"the Executive Council" means the Chief and Councillors of the Nation;

"Executive Council Resolution" means a resolution made by the Executive Council exercising the executive powers and responsibilities of the Sagkeeng Anicinabe Government and, for greater certainty, does not include a Band Council Resolution;

"law" means a written law of the Nation, and includes regulations made in accordance with law;

"Lawmakers Assembly" means members, Councils, and Councillors of the Nation duly assembled under the presidency of the Chief or his designate;

"members" means the members of the Nation;

"the Nation" means Sagkeeng Nation;

"regulation" means a regulation made by Executive Council Resolution in accordance with law;

"Sagkeeng Anicinabe Government" means the Lawmakers Assembly, the Executive Council, the Judicial Council, and the Councils.

Initiated by the Lawmakers Assembly: 19 December 1995

Certified by: _____

Draft approved by the Executive Council: SEPT. 9, ~~1997~~ 1996

Certified by: _____

Accepted by the Lawmakers Assembly: FEB. 5, 1997

Certified by: _____

Adopted by the Executive Council:

Certified by: _____

Under Seal of the Sagkeeng Nation:

Proclaimed on:

Effective Date: