



First Nations National Land Registry Project: Closing the Gap

Lands Advisory Board Annual General Meeting

July 20, 2022



Agenda

1. Objectives & Desired Outcomes
2. Introductions
3. Project Overview
4. The Proposal
5. Benefits
6. Next Steps
7. Discussion and Resolutions

Today's Objectives and Desired Outcomes



Solicit feedback and direction from First Nations



Review the proposal details including vision, benefits and importance of the new registry



Review progress to date, stakeholder engagement, and resolutions

Desired Resolutions Concerning the New FNNLR:



Approve the creation of an interest based First Nations National Land Registry (FNNLR)



Authorize the LAB and RC to continue to work with Canada to seek federal approval for funding and authorization to negotiate



Authorize the LAB and RC to continue to work with key stakeholders to develop and refine the FNNLR

Introducing Project Partners

Resource Centre

Meko Nicholas

Steve Aronson

Angie Derrickson

Rob Pinkerton

Leeanna Rhodes

Deloitte

Christian Kittleson

Stewart Young

Land Title & Survey Authority of BC

Al Karim Kara

Gregory Steves

Richard McLay

John Hay

Introducing Project Presenters



Robert Louie
Chairman, Lands Advisory
Board



Meko Nicholas
Executive Director, LABRC



Steve Aronson
Project Coordinator
First Nation National
Land Registry



Angie Derrickson
Manager, First Nation
Land Management
Resource Centre

Project Overview

Project Update

Facilitated the National Aboriginal Lands Manager Association “NALMA” (Jan/Feb 2022)

Conducted ~20 ISC-CIR Working Group sessions, on a weekly basis, to refine project

Hosted bi-weekly SGB Focus Group Meetings and First Nation Focus Group Sessions

Collaborated with LTSA during weekly Working Group Sessions

Initiated letters with the Canadian Bankers Association

Facilitated a discussion with BC Assessment

Vision

The vision for the First Nations National Land Registry is to establish a **shared, comprehensive, trusted, sustainable, and First Nations governed** land registry for lands governed under a Land Code or self-government arrangement

Shared

- Serves all participating First Nations within a single shared registry while respecting the land registration autonomy and individuality of each First Nation

Comprehensive

- Encompasses all registered interests and records, inclusive of the corresponding boundary definition

Trusted

- Includes authoritative records using a regulatory framework that ensures the timely and accurate registration of instruments related to First Nations Lands

First Nations Governed

- Governed, regulated and operated by a First Nations organization with the participation and guidance of stakeholders

Sustainable

- Operations are financially self-sustainable and able to respond to changing needs through improved services, products and technology

Stakeholder Engagement Overview



What we have accomplished?

Together with Deloitte, we developed a **Stakeholder Map and Engagement Strategy** to describe how key stakeholders will be engaged in the design of the Future State for the new First Nations National Land Registry.

The approach to defining strategy involved:



Identification of all impacted stakeholders and mapping according to respective groups / roles.



Prioritization of stakeholders based on direction from Subject Matter Experts.



Describing an engagement strategy and plan, including the methods of engagement.



Defining key roles and responsibilities required for the delivery of the engagement strategy.

Stakeholder Engagement Overview



PRIORITY GROUP #1:

Key information is required from the following stakeholders to develop the Future State design and Business Case

- Framework Agreement First Nations (Individuals & Land Staff)
- CIR, SGB & ISC
- Justice
- Self-Governing First Nations (Individuals & Lands Staff)

PRIORITY GROUP #2:

General support and alignment are required from the following stakeholders. The following stakeholders should eventually be engaged and informed of the LABRC National Land Registry on an as-needed basis

- National Aboriginal Land Managers Association
- Canadian Council for Aboriginal Business
- First Nation Financial Authority
- Self-Governing First Nations (Individuals & Lands Staff)
- Provinces & Territories / British Columbia
- Canada Infrastructure Bank
- Canadian Land Surveyors Association
- Canadian Bankers Association
- Canadian Financial Institutions
- Canadian Federation of Municipalities
- Canadian Bar Association – Indigenous law section & Indigenous Bar Association
- Peace Hills Trust
- Land Surveyor
- Legal Professionals
- First Nation Provincial and Territorial Organizations

PRIORITY GROUP #3:

The following stakeholders should eventually be engaged and informed of the LABRC National Land Registry on an as-needed basis

- BC Summit
- Canadian Real Estate Association
- First Nations Bank of Canada
- General Public
- Federation of Canadian Law Societies

The Proposal

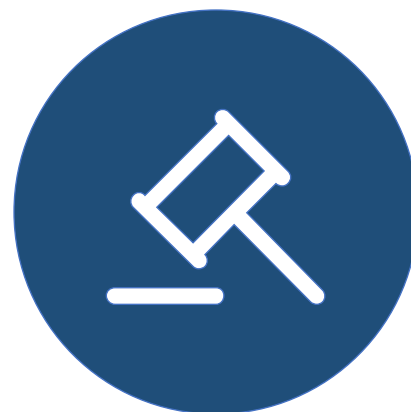
The Proposal



New Land
Register



Delivery Model



Governance
and Regulatory
Model



Funding
and Timelines

The New First Nations National Land Registry *DRAFT*

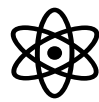


Differences Between Existing and Proposed Registries

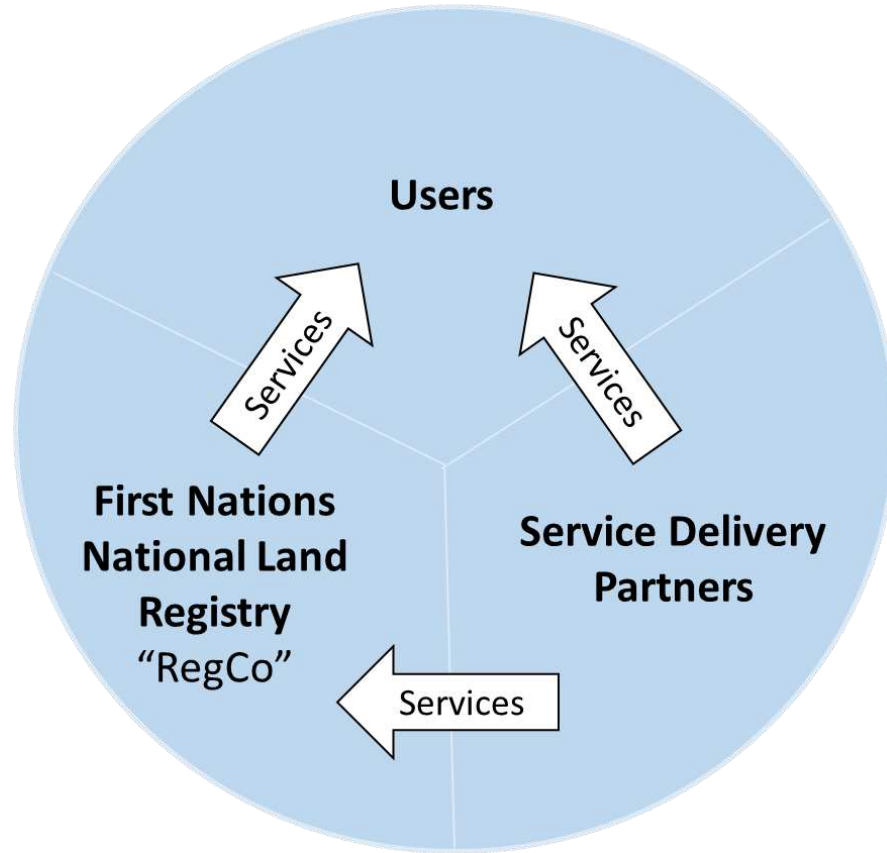
EXISTING REGISTER

- Government regulated, controlled and operated
- Recognizes Indian Act and federal authority
- Outdated software and architecture
- Outdated deeds style register
- Lack of integration of survey and registry information
- Poor user experience and lack of service standards or policy

FUTURE REGISTER

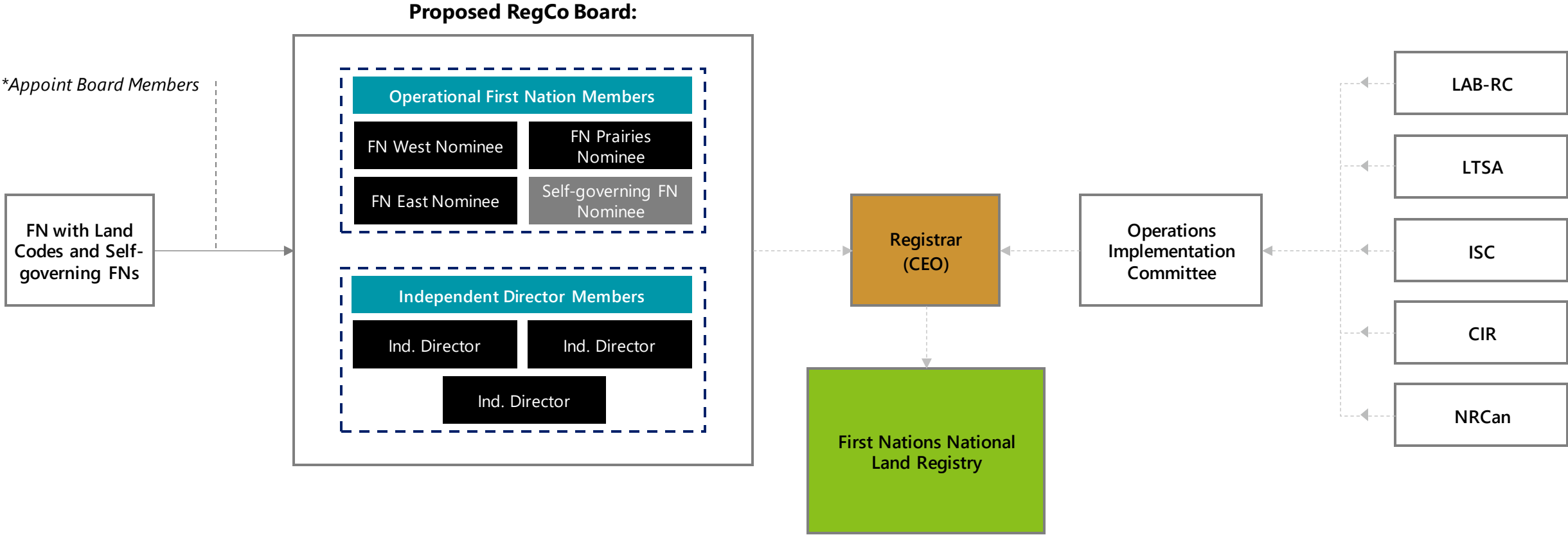
-  Governed by First Nations, to serve all
-  Acknowledges Framework Agreement, Land Code and First Nation authority
-  Leading edge web-based software
-  Comprehensive register of interests
-  Improved land administration, integration of survey information, and registry information
-  Enhanced user experience with support and practice standards

Co-Delivery of Services to Customers



Service Delivery Partners include

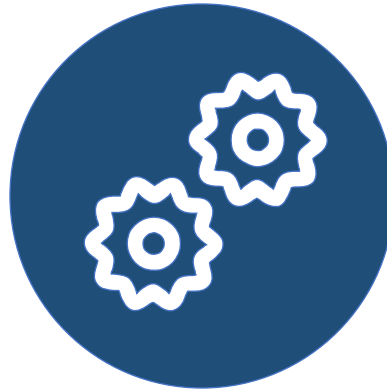
1. LABRC: Registry training services
2. NRCan SGB: Canada Lands Survey records and plans
3. LTSA: Registry technical build and support



Future State Framework Agreement Amendments



Acknowledge authority of First Nations to make registry regulations



Acknowledge First Nation authority to establish, operate and regulate a land registry



Provide for the ownership, control and use of the registry system/data by First Nations

Funding Overview



Together with CIR / ISC / SGB, developing the discussion paper to obtain Government of Canada funding approvals
Collaboration with the Government of Canada is required to realize the benefits for First Nations, Canada and other Users of the Registry. Some critical activities include:

- Planning
- Framework Agreement
- Design
- Build
- Legislation
- Testing
- Transition
- On-going operations and sustainment



\$30M - \$40M to establish RegCo, build the register technology, transition all operational First Nations, and establish initial operations during a two-year transition period

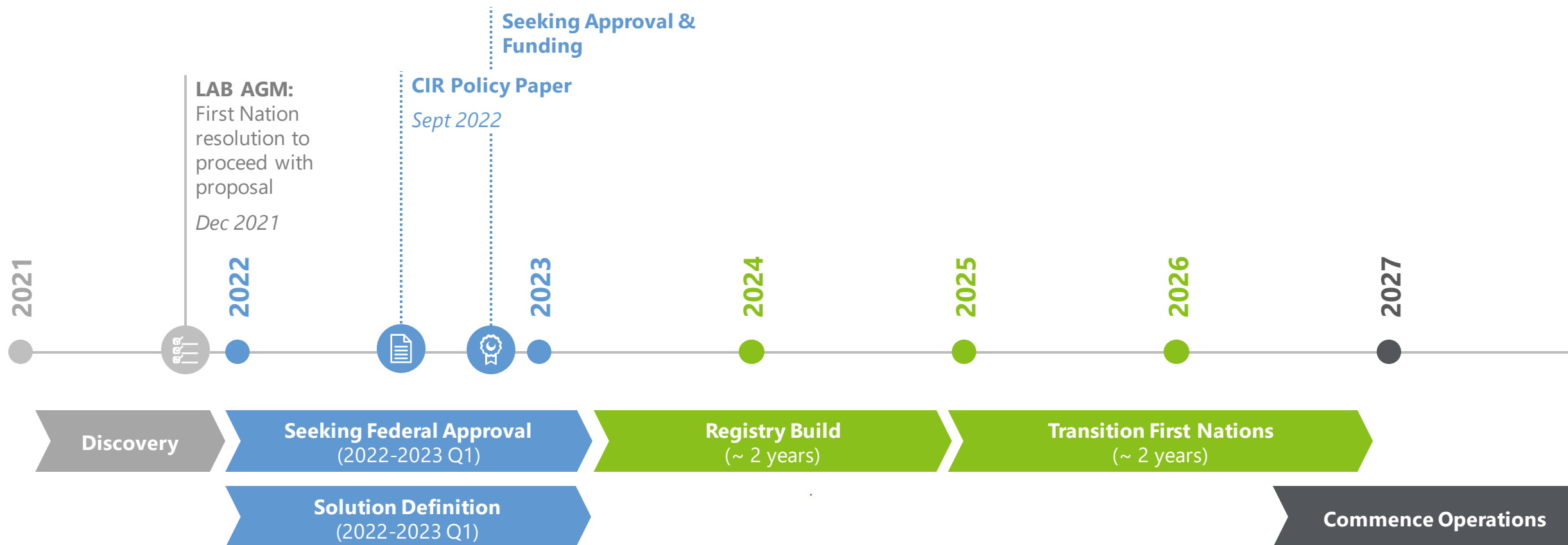


\$4M-\$5M annually to run RegCo and the registry once transition is complete



Further planning is underway to refine and improve the confidence in these estimates

Timeline



Benefits

New Registry benefits are aligned with Canada's Reconciliation Objectives

The Prime Minister of Canada has committed **specific and measurable objectives**, including:

Partnership with Indigenous peoples to **advance self-determination** and fulfill commitment to UNDRIP

Supporting **capacity building**

Closing the economic and infrastructure gaps in land code First Nations

Establishing fiscal relationships that ensure sufficient, predictable and sustained funding and revenue



The benefits of the New Registry are aligned with Canada's Reconciliation Objectives

The Prime Minister of Canada has committed **specific and measurable objectives**, including:

Partnership with Indigenous peoples to **advance self-determination** and fulfill commitment to UNDRIP

Supporting **capacity building**

Closing the economic and infrastructure gaps in land code First Nations

Establishing fiscal relationships that ensure sufficient, predictable and sustained funding and revenue



The new registry will create **unique benefits** for First Nations, including:

Becomes an **economic development** and **cultural protection tool** for First Nations

Supports **skill and capacity development** within First Nation communities

Enhances First Nation authority over land governance and infrastructure

Becomes a platform for digital services and advancement of **self-governance** for First Nations peoples

Aligns with **UNDRIP** and **TRC**

Socio-economic benefits of the Proposed FNNLR System

The new FNNLR system is associated with a range of socio-economic benefits, which can bring increased development and prosperity to First Nations and Canada as a whole

Promote and contribute to indigenous reconciliation and self-determination

- The FNNLR system is consistent with the Government of Canada's public policy objective to renew the relationship and achieve reconciliation with First Nation communities
- Further the government's specific objective of advancing indigenous self-determination aligned with commitments to UNDRIP

Increased certainty and reduced risk for FN communities, investors and lenders

- The FNNLR system will enable a modern, digitized, complete and accurate land record that removes the current uncertainty and reliance on complex legal research
- This will contribute to greater outside investments on reserve lands, increase the rate of commercial and residential development and potentially increase the value of reserve lands

Enables community development planning and clarity of land use

- Clarity around the boundaries, ownership, management and decision making of the land, is necessary to enable modern community development plans and zoning of land use thereby closing the service delivery and infrastructure gap
- The FNNLR system will enable an increased ability to collect data on land development and growth to track how things are improving

Enable stronger economic development and growth

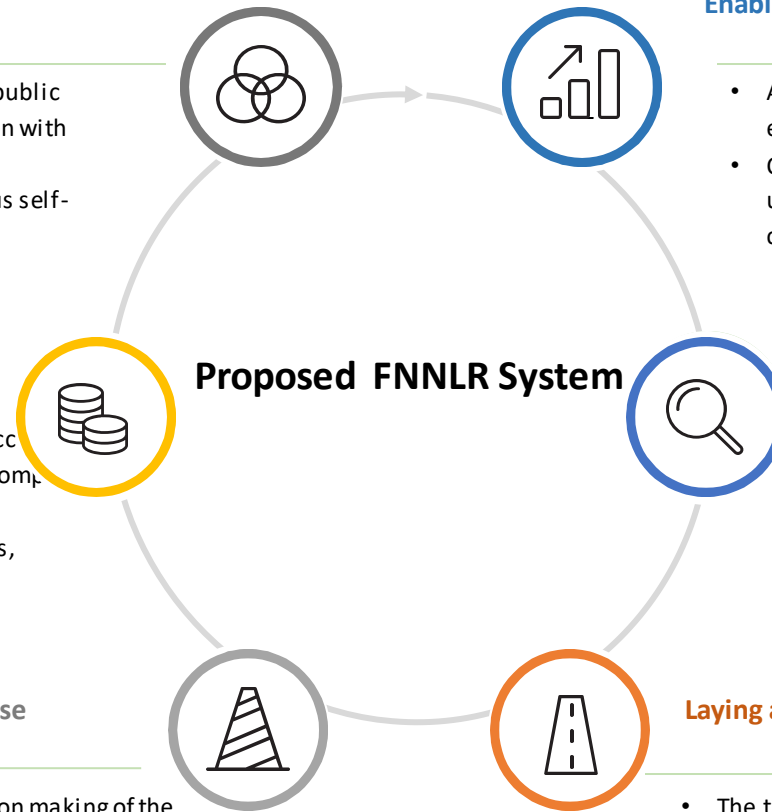
- A modern land registry system is a critical foundational capability to enable economic development by FN communities
- Certainty on land use can increase economic activity through bolstering land use planning, increasing the efficiency of the land market, enabling access to credit, providing greater tenure security and improving competitiveness.

Reduces Canada's overall liability by minimizing potential for registry errors

- Canada has a "latent" contingent liability under the Indian Act, for errors or omissions made in how documents were recorded in the old land registry system.
- The new FNNLR system will minimize these errors going forward, and therefore stop the contribution to that liability burden

Laying a foundation for other First Nations' transitions to new registry

- The transition to the proposed FNNLR system to management by FN group provides a model example for future transitions of management and responsibilities to indigenous communities



Benefits of New Registry



Benefits for First Nations:

- ✓ Same standard of Services enjoyed by other Canadians
- ✓ Elevates and enhances First Nation Government Services and Technology
- ✓ Better conditions for Infrastructure, Emergency Services, Economic Development and Land Protection
- ✓ Improved management of land and record data



Benefits for all users:

- ✓ Accuracy – quickly determine parcel status
- ✓ Certainty – clear policy and practice standardization
- ✓ Efficiency – easy access
- ✓ Confidence – high quality data

Next Steps

Next Steps

- Approve a resolution to create an independent FNNLR
- Work with Canada to secure federal funding approval by April 2023
- Continue to facilitate workshops with First Nations to refine FNNLR
- Continue to engage with key stakeholders identified, including non-First Nation organizations



Discussion & Resolutions

Questions or Comments?

We welcome any questions or comments you may have at this time.

Resolutions Overview



Approve the creation of an interest based First Nation National Land Registry (FNNLR) which is governed by and accountable to Framework Agreement and Self-governing First Nations and established in accordance with the Vision and Goals set out in the FNNLR Proposal of November 2021.



Authorize the LAB and RC, with the support of the Land Title and Survey Authority (LTSA), to continue to work with Canada and **seek federal approval to fund the FNNLR and authorize the negotiation of any changes** to the Framework Agreement and federal legislation required to give effect to the FNNLR.



Authorize the LAB and RC, to continue to work with Framework Agreement and Self-governing First Nations, as well as other First Nation organizations and stakeholders to **develop and refine the FNNLR and provide a report on progress to the Framework Agreement First Nations** by March 31, 2023.

Appendices

Appendix A:

Summary of Stakeholder Engagement (1/3)

DATE	EVENT	STAKEHOLDERS	# FN Participants	# FNs	Subject	Survey Results - if applicable
2/2/2021	FNNLR Project Kickoff Meeting	ISC/CIR/NRCAN				
2/4/2021	Review Existing FNLR – Workshop 1	ISC/CIR/NRCAN				
2/10/2021	Review Existing FNLR – Workshop 2	ISC/CIR/NRCAN				
2/19/2021	Review Existing FNLR – Workshop 3	ISC/CIR/NRCAN				
2/25/2021	Review Existing FNLR – Workshop 4	ISC/CIR/NRCAN				
3/4/2021	Review Existing FNLR – Workshop 5	ISC/CIR/NRCAN				
3/16/2021	Review Existing FNLR – Workshop 6	ISC/CIR/NRCAN				
5/6/2021	LABRC Nation Land Registry Workshop	Signatory First Nations	Y	78	Introduction	3-Q Breakout Exercise - 7 Rooms
5/25/2021	Westbank First Nation	WFN				
6/16/2021	LABRC Nation Land Registry Workshop 1	Signatory First Nations	68	48	Future State Products & Services	87-Q Survey / 41-Q Zoom Poll
6/30/2021	WFN Ltr Interest - LAB National Land Registry	WFN				
7/5/2021	FNNLR Project Update	ISC/CIR/SGB				
7/15/2021	Canadian Land Surveyors Association	CLSA				
8/12/2021	FNTC Letter to Robert Louie	FNTC				
8/17/2021	LAB Letter to Manny Jules	FNTC				
8/19/2021	WFN-LABRC Presentation	WFN				
9/15/2021	LABRC Nation Land Registry Workshop 2	Signatory First Nations	56	40	Progress Update	
10/5/2021	New Registry and SGB Discussion	SGB				
10/6/2021	FNNLR Project Update	CIR/ISC				
11/12/2021	Independent Registry Briefing	CIR/ISC				
11/23/2021	ISC - Independent Registry Briefing	ISC Regional Director General				
12/14/2021	LAB AGM 2021	Signatory First Nations	77	60	Closing the Gap	Resolution Passed

Appendix A:

Summary of Stakeholder Engagement (2/3)

DATE	EVENT	STAKEHOLDERS	# FN Participants	# FNs	Subject	Survey Results - if applicable
1/5/2022	NALMA Board Presentation	NALMA/Regions				
1/7/2022	LAB Letter to CIRNA Deputy Minister Quan-Watson	CIR				
1/7/2022	LAB Letter to CIRNA Minister Miller	CIR				
1/7/2022	LAB Letter to ISC Deputy Minister Fox	ISC				
1/7/2022	LAB Letter to ISC Minister Hajdu	ISC				
2/3/2022	FNNLR ISC Working Group Meeting	ISC				
2/18/2022	FNNLR ISC CIR Working Group Meeting	CIR/ISC				
2/23/2022	LABRC Nation Land Registry Workshop 3	Signatory First Nations	51	40	Registry Services & Fees	15-Q Zoom Poll
3/2/2022	FNNLR ISC CIR Working Group Meeting	CIR/ISC				
3/14/2022	FNNLR ISC CIR Working Group Meeting	CIR/ISC				
3/23/2022	FNNLR ISC CIR Working Group Meeting	CIR/ISC				
3/30/2022	FNNLR ISC CIR Working Group Meeting	CIR/ISC				
4/6/2022	FNNLR ISC CIR Working Group Meeting	CIR/ISC				
4/13/2022	FNNLR ISC CIR Working Group Meeting	CIR/ISC				
4/21/2022	FNNLR ISC CIR Working Group Meeting	CIR/ISC				
4/27/2022	FNNLR ISC CIR Working Group Meeting	CIR/ISC				
5/3/2022	FNNLR SGB Working Group Meeting	SGB				
5/4/2022	FNNLR ISC CIR Working Group Meeting	CIR/ISC				
5/11/2022	FNNLR ISC CIR Working Group Meeting	CIR/ISC				
5/16/2022	FNNLR SGB Working Group Meeting	SGB				
5/19/2022	FNNLR ISC CIR Working Group Meeting	CIR/ISC				
5/25/2022	FNNLR ISC CIR Working Group Meeting	CIR/ISC				
5/31/2022	FNNLR SGB Working Group Meeting	SGB				

Appendix A:

Summary of Stakeholder Engagement (3/3)

DATE	EVENT	STAKEHOLDERS	# FN Participants	# FNs	Subject	Survey Results - if applicable
6/1/2022	FNNLR ISC CIR Working Group Meeting	CIR/ISC				
6/8/2022	FNNLR ISC CIR Working Group Meeting	CIR/ISC				
6/14/2022	FNNLR SGB Working Group Meeting	SGB				
6/15/2022	FNNLR ISC CIR Working Group Meeting	CIR/ISC				
6/16/2022	FNNLRS First Nation Focus Group	Signatory First Nations - FN Focus Group	12	8	Register Services / Establishing Interests	Interactive Discussion
6/22/2022	FNNLR ISC CIR Working Group Meeting	CIR/ISC				
6/28/2022	FNNLR SGB Working Group Meeting	SGB				
6/29/2022	FNNLR ISC CIR Working Group Meeting	CIR/ISC				
6/29/2022	CBA Meeting	CBA			Engagement with Canadian Banks	
7/6/2022	FNNLR ISC CIR Working Group Meeting	CIR/ISC				
7/7/2022	FNNLRS First Nation Focus Group	Signatory First Nations - FN Focus Group	In Progress	# FNs	Subject - TBD	Interactive Discussion / #-Q Survey
7/12/2022	FNNLR SGB Working Group Meeting	SGB				
7/13/2022	FNNLR ISC CIR Working Group Meeting	CIR/ISC				
7/15/2022	BC Assessment Meeting	BC Assessment			Introductions to the FNNLR	
7/19/2022	LAB AGM 2022	Signatory First Nations	In Progress	# FNs	Subject - TBD	Resolution - TBD
7/26/2022	FNNLR SGB Working Group Meeting	SGB				
7/27/2022	FNNLR ISC CIR Working Group Meeting	CIR/ISC				

Appendix B:

Stakeholder Engagement Overview (1/4)

Priority Group #1			
Stakeholder	Engagement Method	Purpose	Timeline / Frequency
Framework Agreement First Nations (Individuals & Land Staff)	Focus Group(s)	Seek input on requirements of RegCo and FNNLR	Immediate / recurring
CIR, SGB & ISC	Recurring meetings	Inform, seek positive support (and separation – ISC), define future roles and responsibilities	Immediate / recurring 4-6 weeks
Justice	Meeting	Identify who will support, what the process is for updating regulations and draft high-level outline of anticipated changes	Immediate
Self-Governing First Nations (Individuals & Lands Staff)	Meeting	Determine decision to be involved in FNNLR system	Immediate

Appendix B:

Stakeholder Engagement Overview (2/4)

Priority Group #2			
Stakeholder	Engagement Method	Purpose	Timeline / Frequency
National Aboriginal Land Managers Association	Written communication signed by LAB or approached by Personal Connection	Raise visibility, seek alignment and support	Q1 2022
Canadian Council for Aboriginal Business	Written communication signed by LAB or approached by Personal Connection	Raise visibility, seek alignment and support	Q1 2022
Canadian Bankers Association	Written communication signed by LAB	Inform and solicit potential Board/Advisory participation	Q1 2022
First Nation Financial Authority	Approached by Personal Connection	Raise visibility, seek support	Q1 2022
First Nation Provincial and Territorial Organization	<i>TBD</i>	<i>TBD</i>	Q1 2022
Provinces & Territories / British Columbia*	Written communication signed by LAB & LTSA	Request information dissemination to the provinces regarding National Land Registry	Q1 2022
Canada Infrastructure Bank	Approached by Personal Connection or through Board	Inform and determine if there are funding avenues	Q1 2022

Appendix B:

Stakeholder Engagement Overview (3/4)

Priority Group #2 (continued)			
Stakeholder	Engagement Method	Purpose	Timeline / Frequency
Canadian Land Surveyors Association	Informed via SGB	Inform	Q1 2022
Canadian Financial Institutions	Approached through CDN Bankers Association	Inform and solicit potential funding	Q1 2022
Canadian Federation of Municipalities	Written communication signed by LAB	Inform and solicit potential Board/Advisory participation	Q1 2022
Canadian Bar Association – Indigenous law section & Indigenous Bar Association	Written communication signed by LAB	Inform and solicit potential Board/Advisory participation	Q1 2022
Peacehills Trust	Approached by Personal Connection	Inform and seek support	Q1 2022
Land Surveyors	Written communication or informed via SGB	Inform	Q1 2022
Legal Professionals	Written communication signed by LAB	Inform	Q1 2022

Appendix B:

Stakeholder Engagement Overview (4/4)

Priority Group #3			
Stakeholder	Engagement Method	Purpose	Timeline / Frequency
BC Summit	<i>TBD</i>	<i>TBD</i>	<i>TBD</i>
Canadian Real Estate Association	<i>TBD</i>	<i>TBD</i>	<i>TBD</i>
First Nations Bank of Canada	<i>TBD</i>	<i>TBD</i>	<i>TBD</i>
General Public	N/A	N/A	N/A
First Nation Provincial Organizations	<i>TBD</i>	<i>TBD</i>	<i>TBD</i>
Federation of Canadian Law Societies (represent regulators of profession)	<i>TBD</i>	<i>TBD</i>	<i>TBD</i>