



NIPISSING

GICHI-NAAKNIGEWIN

August 8, 2013

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Preamble

We, the people of the Nipissing First Nation, known as the Nipissings, ordain and establish this Gichi-Naaknigewin as our supreme law in accordance with the values and principles upon which our heritage has existed.

By this Gichi-Naaknigewin, we declare and acknowledge the Creator for the gifts of Mother Earth, sovereign rights to govern ourselves and for our cultural heritage.

The history of the Nipissings confirms the people as a peaceful, productive and thriving people who have relied on the abundance of natural resources. The history of the Nipissings is well documented, expressing the strong inherent values and principles cherished by its Debendaagziwaad. This Gichi-Naaknigewin reflects those strong inherent values and principles.

Prior to the signing of the Robinson Huron Treaty of 1850, the Nipissings had occupied and enjoyed the lands surrounding the Lake Nipissing watershed for their sustenance and survival through harvesting and other means.

At the signing of the Robinson Huron Treaty of 1850, Chief Shabogestic agreed to set aside lands on the north shore of Lake Nipissing for his people's exclusive use and protection. We the Nipissing First Nation people affirm that we have absolute ownership of our traditional territory based on the belief that participation in the Robinson - Huron Treaty of 1850, did not extinguish ownership. We assert that our ancestors simply selected and reserved designated lands and resources for their people.

This Gichi-Naaknigewin confirms the rights, responsibilities and freedoms of First Nation's Debendaagziwaad, its government and its governing institutions in relation to the jurisdictions set out in this Gichi-Naaknigewin as confirmed by the ratification by its Debendaagziwaad;

This Gichi-Naaknigewin (Constitution - **What governs us**) shall guide, protect and uphold the values of unity, justice, tranquility, accountability and good governance while endeavouring to enhance the pursuit of prosperity for all Debendaagziwaad.

Part 1 - Supreme Law

- 1.1 The Nipissing Gichi-Naaknigewin is the supreme law of Nipissing First Nation
- 1.2 In the event of a conflict between this Gichi-Naaknigewin and Nipissing First Nation Laws or regulations, this Gichi-Naaknigewin will prevail to the extent of the conflict.

Part 2 - Title "Nipissing Gichi-Naaknigewin"

- 2.1 This document shall be cited as the Gichi-Naaknigewin of Nipissing First Nation.

Part 3 - Definitions

- 3.1 In this Gichi-Naaknigewin:
 - a. "Debendaagziwaad" (Debendaagzid - singular form) refers to the people of the Nipissing First Nation. Those people who are recognized as "those who belong" to the Nipissing First Nation.
 - b. "E-giigdowaad" (Council) means the executive decision making body made up of Councillors of the Nipissing First Nation elected in accordance with the Nipissing First Nation Custom Election Regulations or any law that replaces that law.
 - c. "Elected Officials" means the Chief and Councillors of the Nipissing First Nation and other officials who are elected to their positions by the Debendaagziwaad of Nipissing First Nation in accordance with the First Nation Gichi-Naaknigewin and First Nation Laws.
 - d. "Eligible Voter" means a Debendaagzid of the Nipissing First Nation who qualify as an "Eligible Voter" as defined in the Nipissing First Nation Custom Election Regulations.
 - e. Endaawaad" (Endaat - singular form) means those Endaawaad who live on the Nipissing First Nation but are not Debendaagziwaad.
 - f. "First Nation" or "First Nations" means the Debendaagziwaad for whose use and benefit in common, lands have been set apart.

- g. "First Nation Laws" means any law made by the First Nation in accordance with the Gichi-Naaknigewin.
- h. "Giigdonini or Giigdoninii Kwe" (Councillor", "Councillors") means a member or members of Council (E-giigdowaad) elected in accordance with the Nipissing First Nation Custom Election Regulations and First Nation Law.
- i. "Ogimaa" (Chief) means the person elected as the Chief in accordance with the Nipissing First Nation Custom Election Regulations or any law that replaces that law.
- j. "Public Institution" and "Legal entity" means a board, commission, tribunal, committee established by the Nipissing First Nation Council by a quorum vote to exercise certain delegated jurisdictions of the Nipissing First Nation.

Part 4 - Purpose

- 4.1 The purpose of this Gichi-Naaknigewin is to set out:
- a. who the Nipissings are as a people,
 - b. the fundamental principles, rules and structures by which Nipissing First Nation will exercise its law-making authority,
 - c. the relationship between Nipissing First Nation governing structures and Debendaagziwaad.
 - d. the civil and political rights of the Debendaagziwaad, and,
 - e. the accountability of the leadership to its Debendaagziwaad.

Part 5 - Official Language of the Nipissing First Nation

- 5.1 Our Language is Anishinaabemwin and English is a secondary language.

Part 6 - Debendaagziwaad Rights and Freedoms

- 6.1 As a First Nation of North America, we the Nipissings declare our pursuit of fairness and justice for all.
- 6.2 Every Debendaagzid of Nipissing First Nation is equal before and under the laws of Nipissing First Nation, without discrimination.
- 6.3 Debendaagziwaad' rights and freedoms under this Gichi-Naaknigewin do not extend to Endaawaad of Nipissing First Nation who are not Debendaagziwaad. Endaawaad of Nipissing First Nation who are not Debendaagziwaad enjoy the privileges extended by Nipissing First Nation and confirmed through Nipissing First Nation laws and regulations.

Part 7 - Nipissing First Nation Values and Beliefs

7.1 The Nipissings value and believe that:

- a. every Debendaagizid is important and has rights of well-being;
- b. the survival and well-being of its Debendaagziwaad is dependent on the “value of unity” which includes positive affiliations with the broader Ojibwe Nation;
- c. effective government is based on fair treatment and justice for all; and,
- d. protecting the right to harvest the gifts of the Creator in a sustainable manner is essential.

Part 8- Preservation of Core Social Values

8.1 The Nipissings are committed to:

- a. the preservation and maintenance of family unity;
- b. the protection of the value of freedom of religion and spirituality; and
- c. the principles of sustainability and preservation of natural resources for generations to come balanced with interests of pursuing economic advancement.

Part 9 - Nipissing First Nation Debendaagziwaad

9.1 The Nipissing First Nation has exclusive jurisdiction to make laws for determining Debendaagziwaad.

9.2 The Nipissing First Nation Debendaagziwaad Law will set out the eligibility requirements for the determination of Nipissing First Nation Debendaagziwaad, including the mechanism for reviewing Debendaagziwaad decisions.

9.3 The Nipissing First Nation Debendaagziwaad Law will not remove any Debendaagziwaad from the membership list whose names appear on the Nipissing First Nation Band list on the date that the Debendaagziwaad Law takes effect.

Part 10 - Nipissing First Nation E-Naaknigewaad - “Those who govern/make laws” Leadership Selection

10.1 The Chief and Councillors shall be democratically elected by the Debendaagziwaad of Nipissing First Nation at regular elections in accordance with the laws of Nipissing First Nation.

- 10.2 The time, places and manner of conducting elections for the Chief and Councillors shall be prescribed by the Nipissing First Nation Custom Election Regulations.

Part 11 - Law-Making and Legislative Authority

- 11.1 There shall be one elected Chief for Nipissing First Nation.
- 11.2 There shall be one elected Council for Nipissing First Nation.
- 11.3 All legislative or law-making powers herein granted shall be vested in Chief and Council of the First Nation.
- 11.4 The Nipissing First Nation Chief and Council are empowered to make laws and regulations and establish policies and procedures for Nipissing First Nation that are consistent with this Gichi-Naaknigewin.
- 11.5 Nipissing First Nation are empowered to make laws on the rights and freedom of its Debendaagziwaad and privileges of Endaawaad of Nipissing First Nation.
- 11.6 Chief and Council shall be accountable to the Debendaagziwaad.

Part 12 - Governance

- 12.1 The Nipissing First Nation Council shall conduct all affairs of the Nipissing First Nation in accordance with the Nipissing First Nation Laws of governance and accountability.
- 12.2 The Nipissing First Nation Council may delegate its jurisdiction or authority or part thereof, in writing, to a legal entity established in a manner consistent with Nipissing First Nation Laws.

Part 13 - Naakgdawenmowaad zhoonyaa "Money Keeping Rule"

Financial Management and Accountability

- 13.1 The Nipissing First Nation Debendaagziwaad have the right to access information on the financial management and administration of all the First Nation's services and programs, subject to reasonable limits.
- 13.2 Nipissing First Nation shall abide by laws and policies governing transparency, sound financial management and accountability practices.

Part 14 - Stalemated Emergency Quorums

- 14.1 In the event that no Council remains in office to carry out the requirements of Nipissing First Nation, the Executive Director shall direct an election to be held as defined in the

Nipissing First Nation Band Custom Election Regulations or any law that replaces that law.

Part 15 - Meetings and Decision-making Procedures

- 15.1 The Nipissing First Nation Council shall conduct business affairs on behalf of its Debendaagziwaad at regular publicized open meetings, not less than one (1) meeting per month.
- 15.2 Chief and Council shall be authorized to organize and conduct special meetings as required and approved by Chief and Council.
- 15.3 Decisions of Chief and Council shall be made by a democratic majority and recorded as motions or Band Council Resolutions.
- 15.4 Quorum of Council for the conduct of all meetings shall be a majority of those currently in office.
- 15.5 The Nipissing First Nation laws governing Council meetings shall guide specific activities and responsibilities for the preparation and conduct of meetings.

Part 16 - Nipissing Gda-Kiimnaan Naaknigewin - "Our Land Laws" Lands and Land Management

16.1 Nipissing First Nation maintains Aboriginal title over its own traditional territory, including the lands set aside by the Robinson Huron Treaty of 1850 and any other land titles that may be gained in the future for the benefit of its Debendaagziwaad.

Part 17 - Environment & Natural Resources

- 17.1 Nipissing First Nation has exclusive jurisdiction to make laws with respect to environmental protection of natural resources. These laws shall be in accordance with Nipissing First Nation cultural practices designed to sustain and maintain our lands, fish, forest, wildlife, water and air and our heritage for future generations.

Part 18 - Referendums

- 18.1 The Nipissing First Nation Debendaagziwaad shall have the right to take part in major questions related to this Gichi-Naaknigewin and the First Nation lands.
- 18.2 The Nipissing First Nation Council shall inform its Debendaagziwaad on all matters that deal with:
 - a. land disposition,
 - b. legal actions that affect Treaty rights,

- c. the generation of revenues that affects the disposition of Nipissing First Nation assets,
- d. the commitment of significant Nipissing First Nation financial contributions, and,
- e. any matters contrary to the core values set out in this Gichi-Naaknigewin .

Part 19 - Appeals

- 19.1 Nipissing First Nation shall establish appeal procedures for its Debendaagziwaad to appeal legislative or administrative decisions of the First Nation and the administrative decisions of its public institutions.
- 19.2 Nipissing First Nation shall preserve and protect the right of its Debendaagziwaad to be heard at regular or special meetings of Council.

Part 20 - Dbaaknigeng Minwa Mino Naaknigewin "Court Hearings and Good Laws"

Law and Justice

- 20.1 The Nipissing First Nation has the inherent right bestowed by the Creator to enact any laws necessary in order to protect and preserve Nipissing First Nation culture, language, customs, traditions, rights and practices for the betterment of its Debendaagziwaad.
- 20.2 Nipissing First Nation will establish processes to ensure Debendaagziwaad participation and consultation in its law making and public policy and procedure development.

Part 21 - Internal Legislative Redress

- 21.1 Nipissing First Nation may pass laws or establish programs and services to support its Debendaagziwaad in seeking justice and redress under Nipissing First Nation's Laws.

Part 22 - Dbaaknigeng minwa Ndooshkaagoo "Holding Court and Paying Debts"

Law and Restitution

- 22.1 Nipissing First Nation believes in the right of protection from harm and injustice for crimes committed against its Debendaagziwaad and the imposition of suitable penalties for crimes committed.

Part 23 - Compliance to the Nipissing First Nation Gichi-Naaknigewin

- 23.1 Debendaagziwaad of the Nipissing First Nation and all others who enter the traditional lands of the Nipissings shall be obligated to abide by and respect the Nipissing First Nation Gichi-Naaknigewin and the laws emanating from this Gichi-Naaknigewin.

- 23.2 Nipissing First Nation Chief and Council may exercise any right, power, privilege, jurisdiction or authority, and may carry out any duty function or obligation, of Nipissing First Nation set out in this Gichi-Naaknigewin including the enforcement of the Nipissing First Nation laws.
- 23.3 Nipissing First Nation will include enforcement provisions within the law appropriate to the subject matter and the nature of the law.

Part 24 - Ratification and Amendment of the Gichi-Naaknigewin

- 24.1 This Gichi-Naaknigewin was ratified by the Debendaagziwaad of the Nipissing First Nation in accordance with the ratification process selected and approved by Chief and Council.
- 24.2 Amendments to this Gichi-Naaknigewin must comply with the principles and values set out in this Gichi-Naaknigewin.
- 24.3 This Gichi-Naaknigewin may be amended if each of the steps are completed:
1. A Nipissing First Nation Council Resolution is passed by Chief and Council proposing an amendment or amendments to the Gichi-Naaknigewin.
 2. The proposed Gichi-Naaknigewin amendment or amendments is presented to the Nipissing First Nation Debendaagziwaad at a duly organized public meeting.
 3. Following this meeting, the Chief and Council authorize the Chief Electoral Officer to hold a referendum vote in compliance to the Nipissing First Nation's referendum regulations. This vote will happen within three (3) months after the public meeting referred to in paragraph 2 above;
 4. If at least sixty percent of those ballots cast in the referendum approve of the proposed amendment(s), the Council shall then make the proposed amendments to the Gichi-Naaknigewin.
- 24.4 The Nipissing First Nation Council may by resolution amend this Gichi-Naaknigewin at any time in the following instances;
- a. changing the existing name of the Nipissing First Nation to a new name;
 - b. changing the name or title of an authorized board, commission to reflect changed mandates as may be altered by Council;
 - c. deleting a name or title of a dissolved board, commission;
 - d. changing the title of an employee of the Nipissing First Nation referenced in this Gichi-Naaknigewin; or
 - e. changing any language in this document from English to Anishinabemwin as

long as the intent of the clause being changed is preserved.

24.5 Reasonable Limits


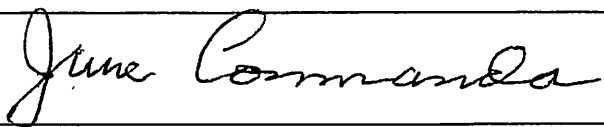
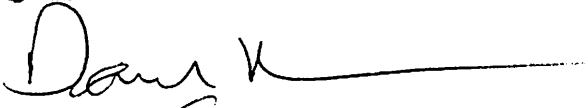
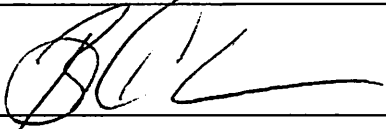
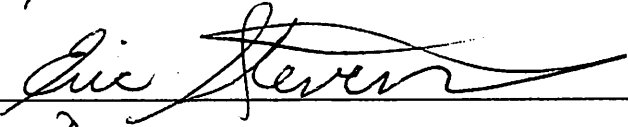
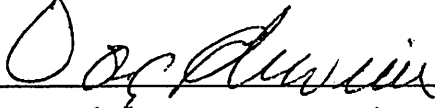
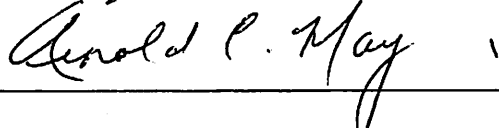
The Nipissing First Nation Gichi-Naaknigewin guarantees the rights and freedoms set out in a subject only to such reasonable limits set out in a Nipissing First Nation Laws as can be demonstrably justified in a free and democratic First Nation.

Part 25 - Enactment Clause

25.1 This Gichi-Naaknigewin is hereby adopted by a referendum vote of the Debendaagziwaad of the Nipissing First Nation on the 10th day of January in the year 2014 and verified by the Chief Electoral Officer.

Signed into Law on Behalf of the Nipissing First Nation Debendaagziwaad this 21st day of the month of *June* in the year of **2014**.

Chief & Council Signatures

Chief Marianna Couchie	
Deputy Chief <u>June Commanda</u>	
Councillor Darrell McLeod	
Councillor Brian Couchie	
Councillor Eric (Ric) Stevens	
Councillor Doug Chevrier	
Councillor Arnold May	
Councillor David Commanda	