



McLeod Lake Indian Band Oversight Committee Nomination Form

Nomination Declaration

I _____ (please print clearly) solemnly affirm that I am registered non-severalty member of the McLeod Lake Indian Band, and with regard to the appointment of the McLeod Lake Indian Band Oversight Committee, I make the following nominations:

Nominator Signature

Phone

Address

Email

Nomination for CHINGEE family representative:

1.

Nomination for INYALLIE family representative:

2. PRINT NAME

EMAIL:

ADDRESS:

PHONE:

Nomination for ISADORE family representative:

3. PRINT NAME

EMAIL:

ADDRESS:

PHONE:

Nomination for PRINCE family representative:

4. PRINT NAME

EMAIL:

ADDRESS:

PHONE:

Nomination for SOLONAS family representative:

5. PRINT NAME

EMAIL:

ADDRESS:

PHONE:

Nomination for TYLEE family representative:

6. PRINT NAME

EMAIL:

ADDRESS:

PHONE:

SUBMIT THIS DOCUMENT to MLIB LAND MANAGEMENT OFFICE

by August 31, 2023

landscoordinator@mllib.ca

Overview of Oversight Committee

McLeod Lake Indian Band (MLIB) is preparing to establish its Oversight Committee, as mandated under the Land Code. Below, we have provided an overview of the purpose, duties, membership, and role of the Oversight Committee based on a legal review of the applicable Land Code provisions.

I. Spirit / Intent (aka Purpose) of the Oversight Committee

Under the Land Code, the purpose of the Oversight Committee is to review referrals from MLIB and Eligible Voters related to alleged failures by Council, the Land Management Committee, the Land Management office and other MLIB staff (that have roles or responsibilities relating to Lands) in carrying out duties or complying with requirements related to Lands (as prescribed in the Land Code, Land Laws or the Land Use Plan).

II. Duties over which Oversight Committee has oversight responsibility

The Land Code (s. 31) states that Council, the Land Management Committee, the Land Management office and MLIB staff (that have roles or responsibilities relating to Lands) each have an obligation to:

- (a) carry out the duties attributed to them under the Land Code, Land Laws and the Land Use Plan; and
- (b) comply with any requirements related to Lands, as set out in the Land Code, Land Laws and the Land Use Plan.

If it is suspected that any of the above listed persons have failed to carry out or comply with their Lands-related duties or requirements, then MLIB or any Eligible Voter may refer the alleged failure to the Oversight Committee for a review in accordance the Land Code. On receipt of such referral, the Oversight Committee determines whether or not there has been such a failure to carry out or comply, and makes recommendations related to remedying such failure, if any (ss. 31-32).

Section 33 of the Land Code sets out the specific Oversight Committee review, procedures, and powers, once it has been established by the Land Management Committee.

III. Appointment of Oversight Committee

The Land Management Committee must, by majority vote, and following consultation with Members, appoint the Oversight Committee in accordance with the Land Code (s. 32.2). The Oversight Committee consists of 7 members, composed of the following: (s. 32.3)

- (a) six Eligible Voters; and
- (b) one arms-length non-Member who has legal training, or other training conducive to carrying out adjudicative reviews.

The Land Code defines an "Eligible Voter" as someone who is a Member-in-Common who has attained 19 years of age on or before the last day of a Vote. A "Member-in-Common" is, in turn, defined as someone who is a Member who did not receive land in severalty pursuant to section 8 of the *MLIB Treaty No. 8 Adhesion and Settlement Agreement*, or their descendant, excepting where that Member descendant is also a descendant of a Severalty Member, and who shares in the benefit of Lands. Accordingly, Severalty Members can generally not be appointed to the Oversight Committee, unless expressly exempt pursuant to the above.

Each member of the Oversight Committee may be appointed for a term of up to 3 years (s. 32.4).

IV. Oversight over Oversight Committee

The Land Code is silent on who has oversight over the Oversight Committee. Similarly, the MLIB Governance Policy is also silent on oversight of that committee.

While the Land Management Committee does not directly oversee the Oversight Committee, it does appoint its members, and it must establish terms of reference for the Oversight Committee, which may include additional eligibility

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requirements, remuneration and similar matters (s. 32.5). In addition, the Lands Management Committee may establish policies and procedures regarding Oversight Committee reviews and related matters (s. 33.6).

Thus, of all entities / persons with responsibilities under the Land Code and Governance Policy, the Land Management Committee would be deemed to have the greatest level of influence over the activities of the Oversight Committee (through its authority to appoint its members, establish its terms of reference, and establish policies and procedures on its reviews and related matters).