

FIRST NATIONS EDUCATION ACT

STATUTES OF BRITISH COLUMBIA 2007 CHAPTER 40

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Preamble

WHEREAS the Province entered into the Education Jurisdiction Framework Agreement with the government of Canada and the First Nations Education Steering Committee on July 5, 2006;

AND WHEREAS the Province also entered into the British Columbia First Nation Education Agreement with the First Nations Education Steering Committee on July 5, 2006;

AND WHEREAS the government of Canada has enacted the *First Nations Jurisdiction over Education in British Columbia Act*, S.C. 2006, c. 10;

AND WHEREAS section 9 (1) of the *First Nations Jurisdiction over Education in British Columbia Act* (Canada) authorizes, to the extent provided by an individual agreement between the government of Canada and a participating First Nation, the participating First Nation to enact laws respecting education on First Nation land;

THEREFORE HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:

Definitions

1 In this Act:

"British Columbia First Nation Education Agreement" means the agreement entered into between the Province and the First Nations Education Steering Committee, dated July 5, 2006;

"education" has the same meaning as in the *First Nations Jurisdiction over Education in British Columbia Act* (Canada);

"Education Jurisdiction Framework Agreement" means the agreement entered into by the Province, the government of Canada and the First Nations Education Steering Committee, dated July 5, 2006;

"First Nation land" has the same meaning as in the *First Nations Jurisdiction over Education in British Columbia Act* (Canada);

"First Nation law" has the same meaning as in the *First Nations Jurisdiction over Education in British Columbia Act* (Canada);

"First Nations Education Authority" has the same meaning as in the *First Nations Jurisdiction over Education in British Columbia Act* (Canada);

"individual agreement" has the same meaning as in the *First Nations Jurisdiction over Education in British Columbia Act* (Canada);

"participating First Nation" has the same meaning as in the *First Nations Jurisdiction over Education in British Columbia Act* (Canada).

Jurisdiction over education on First Nation land

2 In accordance with the British Columbia First Nation Education Agreement, the Province recognizes that a participating First Nation may enact First Nation laws with respect to education provided by the participating First Nation on First Nation land, to the extent authorized by an individual agreement between the government of Canada and that participating First Nation brought into effect by the *First Nations Jurisdiction over Education in British Columbia Act* (Canada).

Consultation

3 British Columbia will consult with the First Nations Education Authority in any general consultations respecting a proposed change to education policy, legislation or standards that may materially affect any of the following:

- (a) an education program offered by a participating First Nation;
- (b) assessments, teacher certification, graduation requirements or curriculum;
- (c) any matter related to assessments, teacher certification, graduation requirements or curriculum.

This Act prevails

4 If a provision of this Act is inconsistent or in conflict with a provision of another Act, the provision of this Act prevails.