

**TLA'AMIN FINAL AGREEMENT  
AMENDING AGREEMENT (No. 3)**

AMONG:

**HIS MAJESTY THE KING IN RIGHT OF CANADA**, as represented by the Minister of Crown-Indigenous Relations  
("Canada")

AND

**HIS MAJESTY THE KING IN RIGHT OF BRITISH COLUMBIA**, as represented by the Minister of Indigenous Relations and Reconciliation  
("British Columbia")

AND

**TLA'AMIN NATION**, as represented by the Hegus (Chief)  
("Tla'amin Nation")

**WHEREAS:**

- A. On April 5, 2016, the Tla'amin Final Agreement came into effect;
- B. The Tla'amin Final Agreement provides for its amendment and specifies requirements for the amendment of various of its provisions;
- C. The Parties have previously agreed to amendments to the Tla'amin Final Agreement;
- D. The Parties agree to propose further amendments to the Tla'amin Final Agreement set out in Schedules 1 and 2 of this Amending Agreement;
- E. The Parties have determined that the processes set out in paragraphs 3 and 5 of Chapter 25 - Amendment apply to the proposed amendments set out in Schedules 1 and 2 of this Amending Agreement;

NOW THEREFORE the Parties agree as follows:

## **PART I – DEFINITIONS AND INTERPRETATION**

1. In this Amending Agreement:

“Tla’amin Final Agreement” means the Tla’amin Final Agreement among the Tla’amin Nation, His Majesty the King in right of Canada and His Majesty the King in right of British Columbia, as it took effect on April 5, 2016 as amended.

2. A reference to a Chapter by number and name is a reference to the chapter of that number and name in the Tla’amin Final Agreement.
3. Words and expressions appearing in this Amending Agreement that are not defined in this Amending Agreement but are defined in the Tla’amin Final Agreement have the meanings ascribed to them in the Tla’amin Final Agreement.

## **PART II – PROPOSED AMENDMENTS**

4. The proposed amendments in English to the Tla’amin Final Agreement are set out in Schedule 1.
5. The proposed amendments in French to the Tla’amin Final Agreement are set out in Schedule 2.
6. Pursuant to paragraph 7 of Chapter 25 - Amendment, the proposed amendments set out in Schedules 1 and 2 will take effect on the date the last Party required to consent to the amendment provides its consent.

## **PART III – PROCEDURES**

7. This Amending Agreement may be signed in one or more counterparts. A signed counterpart may be delivered by one Party to another Party by facsimile or e-mail transmission and a facsimile or e-mail so transmitted will constitute an original document. Signed counterparts held by a Party, taken together, will constitute one and the same instrument.
8. This Amending Agreement may be executed by electronic signature, which will be considered as an original signature for all purposes and will have the same force and effect as an original signature on paper. Without limitation, “electronic signature” will include faxed versions of an original signature or electronically scanned and transmitted versions (e.g., via pdf) of an original signature.

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**FOR HIS MAJESTY THE KING IN RIGHT OF CANADA**, as represented by the Minister of Crown-Indigenous Relations, signed this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

savill,  
Dionne M

Digitally signed by  
savill, Dionne M  
Date: 2023.04.27  
13:42:58 -07'00'

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Authorized Signatory

Printed name: \_\_\_\_\_

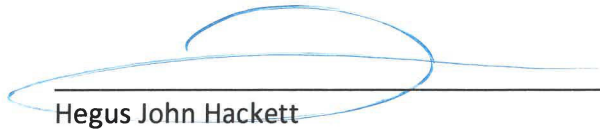
**FOR HIS MAJESTY THE KING IN RIGHT OF BRITISH COLUMBIA**, as represented by the Minister of Indigenous Relations and Reconciliation, signed this 27 day of April, 2023.



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The Honourable Murray Rankin  
Minister of Indigenous Relations and Reconciliation

**FOR THE TLA'AMIN NATION**, as represented by the Hegus (Chief), signed this 28 day of April, 2023.



Hegus John Hackett

## Schedule 1

### **The Tla'amin Final Agreement is amended as follows:**

1. *Paragraph 30 of Chapter 2 - General Provisions is deleted and replaced with the following:*
  30. Subject to the Transition Chapter and paragraphs 16 through 16.4 of the Taxation Chapter, the *Indian Act* does not apply to the Tla'amin Nation, Tla'amin Institutions, Tla'amin Citizens, Tla'amin Lands and Other Tla'amin Lands, except for the purpose of determining whether an individual is an "Indian".
2. *The following paragraphs are added to Chapter 21 - Taxation immediately after paragraph 16 of that Chapter:*
  - 16.1 Despite paragraph 16 and subject to paragraph 16.3, as of the day this paragraph comes into effect, section 87 of the *Indian Act* applies to a Tla'amin Citizen who is an Indian.
  - 16.2 Despite paragraph 16 and subject to paragraphs 16.3 and 16.4, as of the day this paragraph comes into effect, section 87 of the *Indian Act* applies on Tla'amin Lands that were Indian Reserves or Surrendered Lands on the day before the Effective Date as if the lands were Indian Reserves.
  - 16.3 The application of section 87 of the *Indian Act*:
    - a. in paragraphs 16.1 and 16.2 is subject to section 87 of the *Indian Act* itself remaining in force; and
    - b. on lands identified in paragraph 16.2 is subject to:
      - i. subparagraph 1.a; and
      - ii. a law of Parliament, or a treaty, self-government agreement or similar agreement given force of law by Parliament, limiting the application of section 87 of the *Indian Act* to an Indian.
  - 16.4 The Tla'amin Nation may enter into an agreement with Canada or British Columbia that limits the application of paragraph 16.2 to the extent specified in that agreement.

## Schedule 2

**L'Accord définitif des Tla'amins est modifié comme il suit :**

**1.** *L'article 30 du chapitre 2 intitulé « Dispositions générales » est abrogé et remplacé par ce qui suit :*

30. Sous réserve du chapitre intitulé « Dispositions transitoires » et des articles 16 à 16.4 du chapitre intitulé « Fiscalité », la *Loi sur les Indiens* ne s'applique pas à la *Nation des Tla'amins*, aux *institutions tla'amines*, aux *citoyens tla'amins*, aux *terres tla'amines* ni aux *autres terres tla'amines*, sauf en ce qui concerne la détermination du statut d'un individu en tant qu'« Indien ».

**2.** *Le chapitre 21 intitulé « Fiscalité » est modifié par l'ajout des dispositions suivantes immédiatement après l'article 16 de ce chapitre :*

16.1 Malgré l'article 16 et sous réserve de l'article 16.3, à compter du jour de l'entrée en vigueur du présent article, l'article 87 de la *Loi sur les Indiens* s'applique à un *citoyen tla'amin* qui est un *Indien*.

16.2 Malgré l'article 16 et sous réserve des articles 16.3 et 16.4, à compter du jour de l'entrée en vigueur du présent article, l'article 87 de la *Loi sur les Indiens* s'applique sur les *terres tla'amines* qui étaient des *réserves indiennes* ou des *terres cédées* la veille de la *date d'entrée en vigueur* tout comme si ces terres étaient des *réserves indiennes*.

16.3 L'application de l'article 87 de la *Loi sur les Indiens* :

a) aux articles 16.1 et 16.2 ne vaut que pendant que l'article 87 de la *Loi sur les Indiens* demeure lui-même en vigueur;

b) sur les terres visées à l'article 16.2 est assujettie à :

(i) l'alinéa 1a),

(ii) une loi du Parlement, ou à un traité, un accord d'autonomie gouvernementale ou un accord semblable auquel le Parlement a donné force de loi, qui limite l'application de l'article 87 de la *Loi sur les Indiens* à un *Indien*.

16.4 La *Nation des Tla'amins* peut conclure avec le *Canada* ou la *Colombie-Britannique* un accord qui limite l'application de l'article 16.2 dans la mesure précisée dans cet accord.