



**Biigtigong Nishnaabeg**

# **Biigtigong Chi-naakinigewin CONSTITUTION GUIDE -2015**

## **BIIGTIGONG CHI-NAAKINIGEWIN**

The Chief and Council of the Pic River First Nation are pleased to announce that they will be developing a Constitution. A Constitution is a set of fundamental or established precedents according to which an organization is governed. It will be the basic law of the land.

Prepared for Biigtigong First Nation  
Prepared by Nahwegahbow, Corbiere

# Ojibways of Pic River First Nation Vision

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Biigtigong First Nation members have collective interests, rights and responsibilities to their lands and resources, both on Biigtigong First Nation reserve lands and off-reserve traditional territories. Biigtigong First Nation is entrusted to uphold these interests, rights and responsibilities in accordance with our past and present customs, traditions, and practices.

Biigtigong First Nation members have requested that Chief and Council support, initiate and complete a Constitution based upon Biigtigong First Nation customs, traditions and practices. This Constitution was drafted to be modernized for contemporary circumstances for the benefit of our future generations.

The Ojibways of Pic River First Nation Community Plan of 2013, stated:

“PRFN faces various complex issues threatening the integrity of the land and water on both local and global scales. Presenting issues such as climate change and energy and food security can be addressed locally and on traditional areas through action on waste management, sensitive development, innovative design and controls that protect the health of the land and water.”

Developing a Constitution Law will provide clarity around governance and will establish methods of how Biigtigong First Nation may physically grow as a community.

## Why should Biigtigong First Nation enact a Constitution Law?

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- Will guide the duties and powers of the government, and the duties and rights of its citizens and residents.
- A Constitution Law lets the Biigtigong First Nation set out the applicable laws and law making process.
- Over time the Constitution Law will replace the relevant sections of the *Indian Act*.



# FOUNDATIONS FOR ENACTING A CONSTITUTION LAW

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Our inherent rights matter and it starts with the constitution and our laws. Together we know that:

- Laws require community support and management.
- Community consultation is the first step to:
  - Determine and address our constitutional needs;
  - Ensuring the beliefs, practices and traditions of our people are passed down to future generations.
- Biigtigong First Nation has opted to create laws that will be enforceable within our own community. The Constitution Law is the foundational law that legitimizes the authority of the First Nation Government and provides for the rights and freedoms of its citizens.

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ENGAGEMENT AND CONSULTATION HAS TAKEN PLACE WITH COMMUNITY ELDERS AND THE CONSTITUTION COMMITTEE OVER THE PAST YEAR.  
**DRAFTED DOCUMENTS ARE NOW BEING PRESENTED TO THE COMMUNITY.**

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# BIIGTIGONG FIRST NATION CONSTITUTION LAW EXPLAINED

**THE FOLLOWING IS A USER’S GUIDE OF THE CONSTITUTION LAW.**

## PREAMBLE

The beginning section discusses Biigtigong First Nation’s right to govern themselves, recognizes responsibilities to ancestors and future generation and affirms that this law will be the main law for the Biigtigong First Nation.

<b>Section 6: Citation</b>	This section is about the name of the law. Every Law has a name, this one is known as “BIIGITIKONG CHI-NAAKINIGEWIN”.
<b>Section 7 -8: Official Language</b>	This section provides definitions to explain official language PRFN operates within.
<b>Sections 9: Interpretation</b>	These sections state the definitions used within the Constitution law.
<b>Sections 10-13: Purpose and Application</b>	This section establishes the Constitution Law purpose and whom it applies too.
<b>Sections 14-15: Governing Institutions</b>	These sections allows the community to pass laws for a good community life but that the main law is this Chi-Naakinigewin which all other laws must adhere too.
<b>Section 16-17: Jurisdiction</b>	This provides the lists to which laws under Chi-Naakinigewin will encompass within the community.
<b>Sections 18: Amendment/Repeal</b>	Any amendments need the approval of the community. At least 50% + 1 of the eligible voters who participate must vote ‘yes’ on their ballot for the law to pass.
<b>Section 19: Enactment</b>	This section tells how the laws require ratification by a vote.

<b>Section 20-22: General Provisions</b>	Explains general terminology that is included and interchangeable in the language of the law.
<b>Section 23: Enforcement</b>	Chief and Council have the power to enforce the law.
<b>Section 24: Coming into Force</b>	This is the date the Land Law takes effect.
<b>Schedule A</b>	Map covering Exclusive Aboriginal Title and Joint Exclusive Title
<b>Schedule B</b>	Ratification Process & Procedures <ul style="list-style-type: none"> <li>• Definitions</li> <li>• When ratification is required</li> <li>• Committee composition</li> <li>• Voters List and Timeframe</li> <li>• Information to the community requirements</li> <li>• Posting of ratification dates</li> <li>• Voting Process of members</li> <li>• Ratification Thresholds</li> <li>• Post Vote Resolution by Council requirement</li> </ul>