

Background

On May 19th 2012, the Listuguj Mi'gmaq Government (LMG) agreed to obtain a legal and technical opinion as to whether a proposed draft By-law titled "Listuguj First Nation Financial-Administration BY-law" is in accordance with established financial, administrative and legal standards.

Conducting legal and technical reviews as to the legality of any draft By-law is standard procedure in establishing any type of legislation.

The legal and technical review was conducted and completed by the Law firm of Franklin Gertler of Montreal and the First Nations Financial Management Board on behalf of the Department of Indian Affairs. Their results are as follows;

"This review was undertaken to ensure the by-law complies with the Canadian Charter of Rights and Freedoms, conforms to the principles of natural justice and the First Nations Financial Management Board policy, and is not *ultra vires* (not beyond the powers) of the Indian Act". This means, the draft has no legal issues and is now ready for final processing.

Final Process

The draft By-law title "Financial Administration By-law #0101 is now posted for thirty (30) days and is available for general review.

After the 30 day posting period has passed, the Listuguj Mi'gmaq Government may sign the By-law sending the draft back to the First Nation Management Board for final processing by presenting the draft to the Minister of Indian Affairs for signature and assent into law.

The By-law is intended to manage and control all community funds administered by LMG and establishes an administrative structure intended as a first-step in separating the elected leadership of Listuguj from its administrators.