

FINAL DRAFT

NISICHAWAYASI ASINISKAWE NETHOWAK

NISTAM MASINAHEKE KANAWETHECHIKE OTHASOWEWIN FIRST WRITTEN RECORD OF CUSTOMARY LAW

WHEREAS Nisichawayasi Asiniskawe Nethowak have exercised Tipethimisowin (sovereignty) michimahch'ohci (since the beginning of time) within kakanatahk ke'taskenaw (our sacred land) as entrusted to us by Kihche'Manitou (the Great Spirit);

AND WHEREAS Kihche' Manitou, through Kihche' Othasowewin (the Great Law), entrusted to Nisichawayasi Asiniskawe Nethowak as the original guardians of kakanatahk ki'taskenaw (our sacred land), with the responsibility to care for, and the right to use and benefit from its resources;

AND WHEREAS the customary guiding principles of the laws of Nisichawayasi Asiniskawe Nethowak are based on mamawi ka nisitawenachikewin (mutual recognition), mamawi kisthichikewin (mutual respect), mamawi wichihito win (sharing) and mamawi tepethemisowin kanawapatamasowin (mutual responsibility) with all relations in tapwitamowinihk (good faith) on kakanatahk ke'taskenaw (our sacred land);

AND WHEREAS Nisichawayasi Asiniskawe Nethowak continues to exercise tipethimisowin to make laws in the best interests of Nisichawayasi Asiniskawe Nethowak;

AND WHEREAS, the Canadian Charter of Rights and Freedoms will be respected to the extent that it is consistent with Nisichawayasi Asiniskawe Nethowak Tipithimisowin;

AND WHEREAS the laws of Nisichawayasi Asiniskawe Nethowak shall apply within kakanatahk ke'taskenaw and to Nisichawayasi Asiniskawe Nethowak;

AND WHEREAS Nisichawayasi Asiniskawe Nethowak will continue to exercise Nisichawayasi Asiniskawe Nethowak Tipethemisowin in all its relations with all Nations and all creation upon O'kawemaw Aski (Mother Earth), consistent with Kihche' Othasowewin and with the vision of the Nisichawayasi Asiniskawe Nethowak;

AND WHEREAS Nisichawayasi Asiniskawe Nethowak wish to record customary laws in writing;

ANOCH OCHI (NOW HERE ON) Nisichawayasi Asiniskawe Nethowak kakesi mowak (declare) this to be its first written record of customary law:

Name

1. This Law shall be known as:

“NISICHAWAYASI ASINISKAWE NETHOWAK FIRST WRITTEN RECORD OF CUSTOMARY LAW”

Future Customary Laws (Nikanihk Masinahike Othasowewena)

1. All laws of Nisichawayasi Asiniskawe Nethowak from this time forward shall be made in writing.
2. All laws of Nisichawayasi Asiniskawe Nethowak shall be consistent with Ke'chi Othasowewin.
3. All laws, by-laws, regulations, rules and codes shall remain in effect until replaced with or amended by a law passed in accordance with this Law.

Proposal of Customary Laws to the Community

4. Any Nisichawayasi Asiniskawe Netho may propose a law to the O'Tepethemesowin Othaschekewak (the “Governance Committee”) and to the Chief and Council.
5. If approved by the Council, a draft law shall be submitted for review by the Governance Committee:
 - (a) Firstly to Iskwewak O'Nikaniwak (Women); and
 - (b) Secondly to Kitiyatisak Kakanohk Kimowak (Elders);
 - (c) Fourthly, to the Napewak (Men); and then
 - (d) Thirdly, to the O'skatisak (Youth);

- (e) to community meetings held in Nisichawayasi and in Thompson, Winnipeg, Leaf Rapids, South Indian, where the Nisichawayasi Asiniskawe Nethowak may attend and comment on the draft law;

and any amendments proposed during that review process shall be recorded, following which the proposed law and any proposed amendments shall be submitted to Council by the Governance Committee.

- 6. The Chief and Council may make amendments to a proposed law as they determine appropriate.
- 7. The Council may approve a proposed law, with or without amendments, whereupon it shall become a draft law which shall be submitted to the Nisichawayasihk Asiniskawe Nethowak in accordance with this Law.

Submission of Customary Laws to the Nisichawayasi Asiniskawi Nethowak Naskotamowewin.

- 8. Draft laws shall be made available to the Nisichawayasi Asiniskawe Nethowak at the Nisichawayasi Asiniskawe Nethowak offices, shall be posted on Nisichawayasi Asiniskawe Nethowak's website, and may be distributed in any other manner as the Council deems appropriate.
- 9. A draft law shall be submitted to Nisichawayasi Asiniskawe Nethowak in accordance with the following:
 - a) The Council shall determine a date upon which the members shall be entitled to vote on whether to recommend the passage of a draft law, and shall give not less than 14 days notice of the voting date by publishing it in the same manner as set out in section 9.
 - b) Notice of voting day shall include:
 - i) the name or title of the draft Law;
 - ii) the date for voting;
 - iii) the specific locations within Nelson House, Winnipeg, Leaf Rapids, Thompson and South Indian Lake, where voting will take place.
 - c) Voting shall be conducted in accordance with a Regulation.
- 10. If a majority of the votes are in favour of recommending the law, a draft law shall be submitted to the Chief and Council ta sapo tisahakwa (for

passage) akwa to masinahakwa o'wethewin ni wawa (and signed by a quorum of Council), and the Law shall take effect on such date as the Council shall stipulate.

Record of Laws

11. The Chief and Council shall maintain, and make available upon request by any Nisichawayasi Asiniskawe Netho, a copy of all laws.

The Council may make available, upon request by any other person, a copy of all laws.

Amendment of Laws

12. A law may only be amended by a law made in accordance with this Law.

Interpretation of Laws

13. Any question as to the interpretation of any law shall be decided in accordance with the traditional laws of Nisichawayasi Asiniskawe Nethowak by the Nisichawayasi Asiniskawe Nethowak O'thasowewenihk (tribunal).

Regulations

14. The Chief and Council may make regulations required by laws.

THIS LAW is made by the Nisichawayasi Asiniskawe Nethowak, as represented by its Chief and Council:

[signature lines]