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SESSIONAL PAPER

(1983 First Session)

THE FIRST MINISTERS' CONFERENCE ON ABORIGINAL RIGHTS

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After tabling the paper "Aboriginal Rights and the Constitution" with the Legislative Assembly in November 1982, the Executive Committee undertook to return to the Assembly with a second paper when the issues for the First Ministers' Conference on aboriginal rights had crystallized. At this time, the Executive Committee is putting forward this paper to seek direction from the Assembly on the issues which have evolved from the preparatory meetings of government Ministers and officials with leaders of native organizations.

At the Ministers' meeting held in Ottawa on February 28th to March 1st, 1983, an agenda for the First Ministers' Conference was jointly introduced by the leaders of the organizations representing the aboriginal peoples. This agenda has been given approval and will be recommended to the First Ministers as the working document for the Conference. However, it does not necessarily mean that these are the only items which will be discussed, or that all of the issues on the agenda will be dealt with. Only two days will be devoted to the discussion of aboriginal rights topics.

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Many of the issues which were identified in the paper "Aboriginal Rights and the Constitution" appear on the current agenda and the positions adopted by the Assembly with regard to those items are still valid. However, due to the complexity of some of these issues, such as guaranteed representation in Parliament, several will be seen as items best dealt with in an ongoing process where the matters can be reviewed in greater detail.

The purpose of this paper is therefore to apprise the Memebers of the current status of the talks, and to seek direction on certain issues which will be discussed at the First Ministers' Conference. This paper consists of a short review of the agenda items and an indication of how some of the items will likely be dealt with by the First Ministers.

1. CHARTER OF RIGHTS OF THE ABORIGINAL PEOPLES

The Government of the Northwest Territories has indicated that it favours Part II of the Constitution Act 1982 being entitled the Charter of Rights of the Aboriginal Peoples and

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being expanded to include a non-exhaustive list of rights which are identified as belonging to the aboriginal people.

a) Preamble

The G.N.W.T. has supported the idea of including in Part II a preamble recognizing the unique status of the aboriginal people and their contribution to the history of this country. The precise wording would have to be developed. There has been some opposition by the provinces to the idea of a preamble on the ground that it may be premature until such time as rights are identified.

b) Removal of "existing" in section 35

Section 35(1) of the Constitution Act 1982 provides that the "existing" aboriginal and treaty rights of the aboriginal peoples of Canada are recognized and affirmed. Despite repeated questioning by native leaders, Federal and Provincial representatives have not been able to clearly articulate the reason for the inclusion of the word existing. The presence of the word is a legitimate cause of concern to the native people, and in particular to the native people of the north. Not only does it mean that rights which existed prior to the enactment of the Constitution will still be subject to existing Federal legislation,

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but if the rights which are given constitutional protection are deemed to be only those rights which existed as of the date of the enactment of the Constitution Act 1982, any rights which may evolve from future land claims settlements would not be protected. The Federal government has indicated that it will not consent to the removal of the word "existing" until rights are identified by the First Ministers' Conference as contemplated by section 37 of the Constitution Act 1982. As well, several provinces have stated that they will not consent to the removal of the word. Although at this time it is doubtful that this item will be resolved at the First Ministers' Conference, the G.N.W.T. sees the removal of existing in section 35 as a matter of vital importance to the native people of the Territories where land claims settlements will be concluded which provide for rights for the beneficiaries of the settlement.

Recommendation: That the G.N.W.T. support the proposal to delete the word "existing" from section 35 of the Constitution Act 1982.

c) Statement of Particular Rights and Statement of Principles

The Government of the Northwest Territories has favoured the entrenchment in the Constitution of as many rights as can be agreed upon at the First Ministers' Conference. Results of the preparatory meetings have indicated that several of the

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provinces might be prepared to recognize some general principles, on the understanding that these principles would not be immediately translatable into enforceable rights. Rather, the statement of principles would provide the guidelines for discussion to take place under the ongoing process.

The G.N.W.T. would favour immediate entrenchment of rights such as the right to custom and language and the right to practice customary family law. Recognition could then be given to these rights in Provincial and Territorial legislation, thereby accommodating regional differences.

If a statement of principles is to be adopted, it should apply to those items on which agreements cannot be reached at the First Ministers' Conference and should be seen as interim measure until the matter can be thoroughly dealt with in the ongoing process.

d) Equality

There would appear to be general agreement by all parties that aboriginal rights should apply equally to male and female persons. The Federal Government has suggested an amendment to section 25 of the Constitution Act 1982 to accomplish this end, and has indicated that it would not oppose the inclusion of appropriate wording in section 35 and it is suggested that

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amendments to this effect be made to both sections.

Recommendation: That section 25 and section 35 of the Constitution Act 1982 be amended to provide that aboriginal rights apply equally to male and female persons.

e) Enforcement and Interpretation

The item of enforcement refers to the inclusion in the Constitution of a clause similar to section 24 giving any person whose aboriginal rights are infringed or denied the right to apply to a court for an appropriate remedy.

The native organizations have suggested a clause be added to section 35 to provide that a fair and liberal interpretation be given to the aboriginal rights clauses.

Recommendation: That the G.N.W.T. support the inclusion in the Constitution Act 1982 of the following:

a) a clause giving aboriginal persons the right to seek redress in the courts for an infringement of aboriginal rights; and

b) a clause providing that provisions dealing with aboriginal rights be given a broad interpretation in keeping with the spirit of the Constitution.

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2. AMENDING FORMULA

The Government of the Northwest Territories has favoured the inclusion of a clause in the Constitution to provide that amendments to the aboriginal rights provisions could not be made without the consent of the aboriginal people. It has become evident in the course of the preparatory meetings that the First Ministers will be reluctant to grant a veto to a non-legislative body, especially since only the Federal government has a veto under section 38 amending formula.

There appears to be a general consensus that the First Ministers would be prepared to consult with native leaders before introducing any amendments affecting aboriginal rights. The Federal government has suggested the convening of a First Ministers' Conference to which aboriginal leaders would be invited when amendments to the aboriginal rights section were contemplated. The Federal draft does not provide for participation of the Territories in such a Conference despite the fact that several provinces have expressed support for territorial involvement.

Recommendation: In light of the opposition to a consent provision for aboriginal people in the amending process dealing with aboriginal rights, the G.N.W.T. should be prepared to support

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a mandatory consultation process which would include the Yukon and the Northwest Territories.

3. SELF-GOVERNMENT

This item has caused some confusion at the preparatory meetings. Several provinces have given an outright rejection to the concept of sovereignty while others have been non-committal on the basis that they do not understand the issue.

Self-government will probably be an item which will be referred to the ongoing process. The Federal government has proposed that a principle such as an entitlement to institutions of self-government be included in a preamble to a new section 37. Such a statement in the Constitution, while not enforceable in the Courts, would represent a political committment of the governments of this country to address this issue which is of fundamental importance to the aboriginal people.

4. REPEAL OF SECTION 42(1)(e) and (f)

It has been the position of the G.N.W.T. that section 42(1)(e) and (f) should be repealed. Section 42(1)(e) speaks of the possible extension of provinces into the territories without Territorial consent. Section 42(1)(f) makes the

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establishment of new provinces subject to the general amending formula in the Constitution Act 1982.

Although the Federal government has supported the repeal of both of these subsections, the provinces have resisted the attempt to limit the power which they acquired through the enactment of the Constitution Act 1982. Several provinces have suggested that the two subsections be treated differently. There has been some provincial agreement on an attempt to modify the language of section 42(1)(e), but there is a disinclination on the part of most provinces to assent to the repeal of section 42(1)(f).

At the last meeting of Ministers, the G.N.W.T. circulated to the delegates proposed alternatives to these two subsections for discussion purposes only. With regard to section 42(1)(e), the alternative for discussion was the repeal of this subsection and the rewording of section 43 to provide for the consent of the legislative authority of the applicable territory prior to the alteration of the boundary between a province and the territory. There appears to be general support for such a rewording of section 43. However, if the proposed wording were not seen as acceptable from a provincial perspective, a similar objective could be obtained by allowing section 42(1)(e) to remain in its present form, but making it a precondition that a resolution of

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consent be adopted by the appropriate legislative authority of the territory prior to any amendment being made which provided for the extension of a province into the territory.

In the face of strong opposition from the provinces to the repeal of section 42(1)(f), the G.N.W.T. has proposed for discussion a three part amendment involving the rewording of section 38, section 42 and section 46. The proposal involves the amendment of section 46 to permit a territory, in addition to Parliament, to initiate an amendment to establish a new province in a territory. In addition, section 42 would be amended to provide that no amendment to establish the new province could be made unless a constitutional conference were held consisting of the Prime Minister, the First Ministers of the Provinces and the elected representatives of the government of the territory seeking provincehood. Finally, any such amendment would still be subject to the amending formula, but the territory seeking provincehood would be deemed to be a province for the purposes of giving consent under the amending formula. On the last point and on the ability of the territory to initiate the amendment, there may be provincial opposition and it may be necessary to seek a compromise on this position.

One further aspect of this issue requires mention. By the terms of section 41 of the Constitution Act 1982, any amendment to Part V (which includes section 42) requires the

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consent of the Senate, the House of Commons and each of the provinces. It is important to note that if one province refused to pass a resolution, or refused to put the matter before its legislative assembly, the G.N.W.T. proposal would fail notwithstanding that it has support from the Federal government and all other provinces.

Recommendation: Re: section 42(1)(e) That the G.N.W.T. seek an amendment to section 42(1)(e) of the Constitution Act 1982 as follows:

a) the repeal of section 42(1)(e) and the rewording of section 43 to provide for the consent of the legislative authority of the territory prior to the alteration of a territorial-provincial boundary.

Recommendation: Re: section 42(1)(f) That the G.N.W.T. seek an amendment to section 42(1)(f) of the Constitution Act 1982 to provide:

a) the right of a territory to initiate an amendment for the creation of a new province in a territory;

b) the holding of a First Ministers' Conference to include the elected representatives of the government of the applicable territory prior to any amendment being made to create a new province out of a territory;

c) in the case of an amendment to create a new province, the territory seeking provincehood to be deemed to be a province for purposes of the amending formula.

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5. Amendments to Part III

This agenda item addresses the issue of equalization payments, cost sharing and delivery of services to aboriginal peoples. The issue to some extent involves a dispute between the Federal government and the provinces as to the degree of responsibility in providing funding and services to native people.

The aboriginal groups have proposed that these items be included in Part III which speaks of political committments to principles. Such committments do not create rights and are not enforceable in a court of law. These matters will not be resolved at the First Ministers' Conference and will possibly be referred to the ongoing process. It would be hoped that ultimately, such committments would be inserted in Part II so as to create enforceable rights.

6. ONGOING PROCESS

The G.N.W.T. has supported the entrenchment in the Constitution of an ongoing process to provide for future First Ministers' Conferences to deal with aboriginal rights. The Federal government and some provinces have suggested amendments to section 37 to provide for a series of conferences within

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the next few years. At this point, the suggestions have ranged from one conference every year for five years to one every two years for six years. The exact number and time frame appear to be negotiable. The G.N.W.T. has supported the proposals which provide for more frequent meetings, on the understanding that such First Ministers' Conferences should not preclude work at the officials level as well as bi-lateral negotiations between governments and native organizations.

While the Federal government and most provinces have indicated that they favour an entrenched process, British Columbia has suggested that in lieu of an amendment to the Constitution, an accord be signed by all parties at the conclusion of the First Ministers' Conference. The terms of the accord would commit the parties to participation in an ongoing process. The Executive Committee proposes that the Legislative Assembly agree to such an accord on the clear understanding that it was an interim measure until such time as an amendment to the Constitution could be passed. In this sense it might be useful in light of the time delay involved to effect an amendment. Furthermore, section 39 of the Constitution Act 1982 provides that a proclamation shall not be issued amending the Constitution before the expiration of one year from the adoption of the resolution initiating the amending procedure, unless the

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Legislative Assembly of each province has previously adopted a resolution of assent or dissent. If one province refused to refer a proposed amendment to its legislature, the amending process would be in limbo for a minimum of one year.

Recommendation:

1) That the G.N.W.T. seek the entrenchment of the ongoing process in the Constitution Act 1982.

2) That if an accord is to be signed, it should state that it is an interim measure and the accord should also contain an undertaking by governments that they will, at the earliest possible time, refer the matters contained in the accord, including the entrenchment of an ongoing process, to their respective legislatures for consideration.

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SESSIONAL PAPER (1983 First Session)
THE FIRST MINISTERS' CONFERENCE ON ABORIGINAL RIGHTS

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ᑲᑎᒪᕐᔪᐊᖅᑎᑦᑐᒥᑦ ᐱᔾᔪᑎᖃᖅᑐᑎᒃ ᓄᓇᖃᖅᑐᑐᖃᖅᓂᒃ

ᑖᓐᓇ ᓴᖅᑭᑎᑕᐅᓚᐅᖅᑎᑦᑐᒍ "ᓄᓇᖃᖅᑐᑐᖃᐃᑦ ᐱᔪᓐᓇᖅᓂᖏᑦ ᐊᒻᒪᓗ ᑐᓐᖓᕕᓕᑎᓂᖅ" ᒪᓕᒐᓕᐅᖅᑎᒃᑯᓐᓄᑦ ᓴᖅᑭᑎᑕᐅᓚᐅᖅᑎᑦᑐᒥᑦ ᓄᕙᒻᐸᖅ 1982-ᒥ, ᐊᐅᓚᑦᓯᔨᒃᑯᑦ ᑲᑎᒪᔨᖏᑦ ᐱᓕᕆᐊᖃᕆᐊᓕᓚᐅᖅᐳᑦ ᒪᓕᒐᓕᐅᖅᑎᒃᑯᓐᓄᑦ ᐅᓂᒃᑳᖅᓂᐊᖅᑕᖅᒥᓐᓂᒃ ᐱᖃᑖᓂᒃ ᑖᒃᑯᐊ ᖃᑉᓗᓈᑦ ᓄᓇᖓᓐᓂ ᐊᖓᔪᖅᑲᖏᑦ ᑲᑎᒪᕐᔪᐊᖅᑎᑦᑐᒥᑦ ᐱᔾᔪᑎᖃᖅᑐᑎᒃ ᓄᓇᖃᖅᑐᑐᖃᖅᓂᒃ ᐱᐊᓂᒃ ᑕᐅᔾᔫᒥᑎᑦᑐᒍ. ᑕᒪᑐᒪᓂ ᒫᓐᓇ ᐊᐅᓚᑦᓯᔨᒃᑯᑦ ᑲᑎᒪᔨᖏᑦ ᐅᓂᒃᑳᓕᐅᖅᐳᑦ ᒪᓕᒐᓕᐅᖅᑎᒃᑯᓐᓄᑦ ᐃᒪᓐᓈᖅᑕᐅᔭᒪᖅᑐᑎᒃ ᒪᓕᒐᓕᐅᖅᑎᒃᑯᓐᓂᑦ ᐱᔾᔪᑎᖃᖅᑐᓂᒃ ᐱᓕᕆᐊᖑᕙᓪᓕᐊᔭᓂᒃ ᖃᑉᓗᓈᑦ ᓄᓇᖓᓐᓂ ᐊᖓᔪᖅᑲᐅᑎᓄᑦ ᑲᑎᒪᓂᑎᔭᐅᔭᓂ ᐊᒻᒪᓗ ᑕᒪᒃᑯᐊ ᐱᓕᕆᐊᖑᕙᓪᓕᐊᔭᑦ ᐱᔾᔭᑕᐅᑉᑐᑎᒃ ᐊᖓᔪᖄᑎᔭᐅᔭᑦ ᖃᑉᓗᓈᖑᖏᑦᑐᓂ ᑲᑐᔾᔨᖅᑎᒌᓂ.

ᐊᖓᔪᖅᑲᐅᑏᑦ ᑲᑎᒪᓂᑎᓚᐅᖅᑕᕐᓐᓂ ᐋᑐᕚᒥ ᕕᕗᐊᕆ 28-ᒥᑦ ᒫᑦᓯ 1-ᒧᑦ 1983-ᒥ, ᑲᑎᒪᔾᔪᑎᒃ ᓴᕐᓐᓂ ᐊᖓᔪᖅᑲᐅᑏᑦ ᓴᖅᑭᑎᑕᐅᓚᐅᖅᐳᖅ ᐅᖃᐅᓯᑎᔭᐅᓚᐅᖅᐳᖅ ᐊᖓᔪᖄᑎᔭᐅᕙᒃᑐᓄᑦ ᖃᑉᓗᓈᖑᖏᑦᑐᓄᑦ ᑭᓪᒋᖅᑐᐃᑉᑐᑎᒃ ᓄᓇᖃᖅᑐᑐᖃᖅᓂᒃ. ᑖᓐᓇ ᑲᑎᒪᔾᔪᑎᒃ ᓴᖅ ᐊᕐᑭᑕᐅᓯᒪᔪᖅ ᐊᒻᒪᓗ ᐊᑐᓕᖅᑯᔭᐅᓂᐊᖅᐳᖅ ᐊᖓᔪᖅᑲᐅᑎᓄᑦ ᖃᑉᓗᓈᑦ ᓄᓇᖓᓐᓄᑦ ᐱᓕᕆᐊᖑᖅᑯᔭᐅᔪᓂ ᑲᑎᒪᓐᓇᐅᓂᐊᖅᑐᒥ. ᑭᓯᐊᓂ, ᑖᒃᑯᐊ ᑭᓯᒥ ᐅᖃᐅᓯᐅᔾᔫᕐᒪᑕ, ᐊᒻᒪᓗ ᐅᖃᕐᒪᑕ ᐱᓕᕆᐊᖑᔫᓂᐊᖅᓂᖓᓂᒃ ᑕᒪᓐᓇ ᓄᓇᖃᖅᑐᑐᖃᖅᑲᓕᑎᔭᖅ. ᐅᑉᑰᖅᓂᒃ ᒪᖅᑭᐃᓐᓈᖅᓂᒃ ᐅᖃᐅᓯᐅᕙᒃ ᓴᐅᓂᐊᖅᒪᑦ ᑖᓐᓇ ᐱᔾᔪᑎᖃᖅᑐᖅ ᓄᓇᖃᖅᑐᑐᖃᐃᑦ ᒥᒃᓴᓐᓄᑦ.

ᑖᒃᑯᐊ ᐊᒥᓱᒪᕆᑦ ᖃᐅᔨᒪᔭᐅᔪᑦ ᑐᓴᖅᑕᐅᓯᒪᔪᑦ ᑎᑎᖃᐅᑎᒥᔭᐅᔪᓂ "ᓄᓇᖃᖅᑐᑐᖃᐃᑦ ᐊᔪᕆᓐᓂᖏᑦ ᐊᒻᒪᓗ ᑐᓐᖓᕕᓕᑎᓂᖅ" ᓴᖅᑭᔫᖅᐳᑦ ᒫᓐᓇᐅᔪᒥ ᑲᑎᒪᔾᔪᑎᒃ ᓴᓂ ᐊᒻᒪᓗ ᑖᒃᑯᐊ ᐊᕆᖅᑕᐅᓯᒪᔪᑦ ᐱᓕᕆᔨᐅᓂᐊᖅᑐᑦ ᒪᓕᒐᓕᐅᖅᑎᒃᑯᓐᓄᑦ ᐊᕆᖅᑕᐅᓯᒪᔪᑦ ᑲᔪᓯᔪᓐᓇᖅᐳᑦ ᓱᓕ. ᑭᓯᐊᓂ, ᑕᒪᒃᑯᐊ ᐱᔾᔪᑎᒥᑐᒥᑦ ᐊᔭᖅᓇᕈᑕᐅᓇᔭᖅᑐᑦ ᐱᓕᕆᐊᖑᓂᐊᖅᑐᑦ ᐃᓕᕆᓐᖑᓂ, ᑕᒪᒃᑯᐊ ᓯᖅᓗ ᐃᓱᒪᒥᑐᒥᑦ ᐱᔭᓐᓇᐅᑎᐅᓇᓴᖅᑐᑦ ᑭᓪᒋᖅᑐᖅᑎᖅᓂᖅᒥᒃ ᑲᑎᒪᑉᕕᓪᔭᐊᖅᒥ ᐋᑐᕚᒥ, ᑖᒃᑯᐊ ᐅᖃᐅᓯᓪᓴᐃᑦ ᐱᓕᕆᐊᖑᑦ ᓯᐊᖅᑯᔭᐅᑉᑐᑎᒃ ᖃᐅᔨᓴᖅᑕᐅᑦ ᓯᐊᑎᐊᖅᑯᖅᑐᑎᒃ ᐱᓕᕆᐊᖑᒥᐊᕈᒫᖅᐳᑦ.

ᑖᓐᓇ ᑕᒡᕙ ᑎᑎᖃᖅ ᐱᔾᔪᑎᖃᖅᐳᖅ ᒪᑯᓂᖓ ᑲᑎᒪᔨᐅᔪᑦ ᖁᔭᓕᔭᐅᔪᒪᑉᑐᑎᒃ, ᐊᒻᒪᓗ ᖃᐅᔨᒋᐊᕈᒪᔪᑦ ᐃᒪᓐᓇᖅᑕᐅᓂᐊᖅᓂᖅᒥᓐᓂᒃ ᐱᓕᕆᐊᖑᓂᐊᖅᑐᓄᑦ ᓄᓇᓕᖕᓂ ᖃᑉᓗᓈᓄᑦ ᐊᖓᔪᖅᑲᐅᑏᑦ ᑲᑎᒪᓂᐊᖅᑎᑦᑐᒥᑦ. ᑖᓐᓇ ᑎᑎᖃᖅ ᐃᓚᐅᑎᑦᓯᔾᔪᖅ ᓇᐃᑦᑐᓗᐊᖅᒥᒃ ᐅᓂᒃᑳᖅᓯᒪᔭᓂᒃ ᑲᑎᒪᔾᔪᑎᒃ ᓴᓂᒃ ᐊᒻᒪᓗ ᐅᓂᒃᑳᖅᓂᖅᑎᕆᔪᖅ ᑕᒪᒃᑯᐊ ᐃᓚᖏᑦ ᖃᓄᐃᓕᐅᖅᑕᐅᓂᐊᖅᓂᖏᓐᓂᒃ ᑖᒃᑯᓄᖓ ᐊᖓᔪᖅᑲᐅᑎᓄᑦ ᓄᓇᓖᑦ ᐊᕕᒃᑐᖅᓯᒪᓂᖏᓐᓂ.

1. <u>ᐊᔪᖏᓐᓃᑦ ᑎᑎᕋᕐᓯᒪᓂᖏᑦ ᓄᓇᖅᑲᖅᑐᑐᖅᑲᐃᑦ ᐊᔪᖏᓐᓂᖏᑦ</u>

ᓄᓇᑦᓯᐊᑉ ᒐᕙᒪᒃᑯᖏᑦ ᐅᖅᑲᖅᓯᒪᕗᑦ ᐃᑲᔪᖅᓯᖅᓂᕋᖅᓗᑎᒃ ᖁᕕᐊᓱᒃᓂᕋᖅᓗᑎᒃ ᐃᓚᖓᓂ 2-ᒥ ᑕᒃᑫᓂ ᑎᑎᕋᕐᓯᒪᔪᓂ <u>ᑐᓐᖓᕕᓕᕆᓂᕐᒧᑦ ᒪᓕᒐᖅᔭᐊᓂ 1982</u> ᐊᑎᖅ ᑖᖅᑎᑕᐅᓚᐅᖅᒪᑦ ᐊᔪᖏᓐᓃᑦ ᑎᑎᕋᕐᓯᒪᓂᖏᑦ ᓄᓇᖅᑲᖅᑐᑐᖅᑲᐃᑦ ᐊᔪᖏᓐᓂᖏᑦ ᐊᓪᒪᓗ ᐃᓚᒋᐊᖅᑕᐅᓂᐊᖅᑎᑦᓗᒍ ᖁᐱᐊᒋᔭᐅᓚᐅᑎᕗᖅ ᐊᓯᖏᓐᓂᒃ ᐊᔪᖏᓐᓂᒃ ᓴᑎᔭᐅᓂᐊᖅᑐᓂᒃ ᑖᒃᑯᓄᖓ ᓄᓇᖅᑲᖅᑐᑐᖅᑲᖅᓄᑦ.

a) <u>ᑐᑭᓯᒋᐊᕈᑦ</u>

ᓄᓇᑦᓯᐊᑉ ᒐᕙᒪᒃᑯᖏᑦ ᐃᑲᔪᖅᓯᐃᓚᐅᖅᐳᑦ ᐃᓱᒪᒋᔭᐅᔪᒥᒃ ᐃᓚᐅᑎᑕᐅᖁᔨᑎᓪᓗᒋᑦ ᐃᓚᖓᓂ II-ᒥ ᑐᑭᓯᒋᐊᕈᑎᒥᒃ ᐃᓚᓯᓯᒪᖁᔨᓚᐅᖅᒪᑕ ᑕᒪᒃᑯᐊ ᐃᓚᑕᑎᔭᐅᖁᔭᐅᓗᑎᒃ ᓄᓇᖅᑲᖅᑐᑐᖅᑲᐃᑦ ᐊᔪᖏᓐᓂᑎᓂᐊᖅᑕᖏᑦ ᐊᓪᒪᓗ ᑐᓂᑉ ᔪᑎᒋᓯᒪᔭᖏᑦ ᐃᓕᖅᑯᓯᑐᖅᑲᒥᓐᓂᒃ ᑕᒃᑯᖓ ᓄᓇᒋᔭᑉᑎᓐᓄᑦ. ᑕᒪᑐᒪ ᐅᖅᑲᖅᓯᒪᓂᖓ ᐅᖅᑲᖅᓯᒪᑦᓚᑎᕐᓂᖓ ᐋᖅᑭᒃᑕᐅᔭᑎᐊᖅᑲᖅᓂᐊᖅᐳᖅ. ᓄᓇᑦᓯᓂ ᐊᐱᒃᑐᖅᓯᒪᔪᓂ ᑲᓇᑕᒥ ᑕᒪᓐᓇ ᖁᐱᐊᒋᔭᐅᓚᐅᖏᓪᒪᑦ ᑐᐊᐱᓗᐊᕋᓯᒋᔭᐅᓚᐅᖅᒪᑦ ᑕᒪᓐᓇ ᐱᓚᑎᐊᖑᔪᒪᓂᖓ ᖅᑲᐅᔨᓚᐅᖅᑳᖅᑎᓐᓇᒥᑦ ᐊᔪᖏᓐᓂᑎᔭᐅᓂᐊᖅᑐᓂᒃ.

b) <u>ᐲᖅᑕᐅᓂᖓ " ᒫᓐᓇ ᐊᑐᖅᑕᐅᔫᑉ " ᐃᓚᖓᓂ ᑎᑎᕋᕐᓯᒪᔪᖅ 35-ᒥ</u>

ᐃᓚᖓ 35(1) ᑕᒃᑫᓂ <u>ᒪᓕᒐᖅᔭᐊᒥ ᑐᓐᖓᕕᓕᕆᓂᕐᒧᑦ 1982</u>-ᒥ ᐊᔪᖏᑎᑦᓯᕗᖅ ᒫᓐᓇ "ᐊᑐᖅᑕᐅᔪᑦ" ᓄᓇᖅᑲᖅᑐᑐᖅᑲᐃᑦᓗ ᐃᖅᑭᓖᑦᓗ ᐊᔪᖏᓐᓂᖏᑦ ᐃᓚᑕᑎᔭᐅᓯᒪᕗᑦ ᐊᓪᒪᓗ ᐊᖏᕈᑕᐅᓯᒪᕗᑦ. ᐃᓱᒪᒋᖏᑦᓗᒍ ᑕᒪᓐᓇ ᐊᐱᖅᑯᑕᐅᖏᓐᓇᓰᖅ ᐊᖏᕐᖅᑲᐅᑎᓄᑦ ᐃᓄᒃᓄᑦ ᐃᖅᑭᓪᓄᑦ, ᑲᓇᑕᐅᑉ ᒐᕙᒪᒃᑯᖏᑦ ᓄᓇᓕᑦᓂᓗ ᐊᐱᒃᑐᖅᓯᒪᔪᓂ ᑭᓪᒐᖅᑐᐃᔪᑦ ᑕᒃᑫᖅᓯᑦᑎᐊᖅᓯᒪᖏᓪᒪᑕ ᓯᓇᒥᒃ ᐱᒡᔪᑎᖅᑲᖅᓗᑎᒃ ᐲᖅᑕᐅᔭᑎᐊᖅᑲᓕᓚᐅᖅᒪᖏᑦ ᑖᓐᓇ ᐅᖅᑲᐅᓯᒪᓂᖓ ᒫᓐᓇ ᐊᑐᖅᑕᐅᔪᑦ. ᒫᓐᓇᐅᔪᖅ ᐅᖅᑲᐅᓯᒪᓂᖓ ᐃᓯᒫᓗᑕᐅᓪᒪᑎᒃ ᑲᓗᐊᖅᐳᖅ ᖅᑲᑉᓗᓈᖑᔪᑦᑐᓄᑦ ᐊᓪᒪᓗ ᐱᓗᐊᖅᑐᒥᒃ ᖅᑲᑉᓗᓇᖑᔪᑦᑐᓄᑦ ᐅᑭᐅᖅᑕᖅᑐᒥᐅᓄᑦ, ᑖᒃᑯᐊ ᐅᖅᑲᐅᓯᖅᑲᑐᐃᓐᓇᖏᓪᒪᑕ ᐊᔪᖏᓐᓂᑎᔭᐅᔪᓂᒃ ᒫᓐᓇᐅᔪᖅ ᐊᔪᖏᓐᓂᑎᔭᐅᔪᓂᒡᓗ ᑐᓐᖓᕕᓕᕆᓂᖅ ᓴᖅᑭᓚᐅᖅᑳᖅᑎᓐᓇᒍ ᑖᒃᑯᐊ ᐱᓕᕆᐊᑎᔭᐅᔪᑦᔫᖏᑦ ᑲᓇᑕᐅᑉ ᒐᕙᒪᒃᑯᖏᓐᓄᑦ ᒪᓕᒐᓕᑎᔨᖏᓐᓄᑦ, ᑭᓯᐊᓂ ᑕᒪᒃᑯᐊ ᐊᔪᖏᓐᓂᑎᔭᐅᔪᑦ ᐅᖅᑲᐅᓯᐅᓪᐸᑕ ᐊᔪᖏᓐᓂᖅ ᑖᑎ-ᔭᐅᔭᕕᓃᑦ ᓴᖅᑭᑎᑕᐅᑎᓪᓗᒍ <u>ᑐᓐᖓᕕᓕᕆᓂᕐᒧᑦ ᒪᓕᒐᖅᔭᐊᖅ 1982-ᒥ</u>, ᑕᒪᒃᑯᐊ ᐊᔪᖏᓐᓂᖅ ᑖᑉᒍᐸᓪᓚᐊᓂᐊᖅ-ᑐᑦ ᓯᕗᓂᒃ ᓴᑉᑎᓐᓂ ᓇᓐᒥᓂᖅ ᓄᓇᑖᖅᓯᒪᓕᖅᐸᑕ ᓄᓇᖅᑲᖅᑐᑐᖅᑲᐃᑦ ᐊᔪᖏᓐᓂᖅ ᑖᑎᐸᓪᓚᐊᔭᖅᒥᓐᓂᒃ ᐊᑐᖅᓂᖅ ᐊᔪᖅᑎᑕᐅᑐᐃᓐᓇᑎᐊᖅᑲᕋᔭᖅᐳᑦ. ᑲᓇᑕᐅᑉ ᒐᕙᒪᒃᑯᖏᑦ ᐅᖅᑲᐅᓯᒪᕗᑦ ᐊᖏᕈᑎᖅᑲᔾᔪᖕᓂᖅᒥᓂᒃ ᐲᖅᑕᐅᖁᓗᒍ ᑕᒪᓐᓇ " ᒫᓐᓇ ᐊᑐᖅᑕᐅᔪᖅ" ᑭᓯᐊᓂ ᐊᖏᕈᑎᖅᑲᕋᔭᖅᓗᑎᒃ ᑖᒃᑯᐊ ᐊᔪᖏᓐᓂᑎᔭᐅᓂᐊᖅᑐᑦ ᑐᑭᓯᐅᒪᔭᐅᓕᖅᐸᑕ ᑖᒃᑯᓇᓪᓘᑦ ᖅᑲᑉᓗᓈᑦ ᐊᖏᕐᖅᑲᐅᑎᖏᓐᓇᓂ ᑲᑎᒪᓐᓇᐅᔪᒥ ᖅᑲᐅᔨᓴᐅᑳᐅᖅᑲᖅᑎᑦᓗᒥᑦ ᑭᓯᐊᓂ ᐊᖏᕈᑎᖅᑲᕋᔭᖅᐳᑦ ᑕᐃᒪ ᐅᖅᑲᐅᓯᒪᓪᒪᑦ ᑕᒃᑫᓂ ᐃᓚᖓᓂ 37 ᑕᒃᑫᓂ <u>ᒪᓕᒐᖅᔭᐊᕐᔪᔭᒥ ᑐᓐᖓᕕᓕᕆᓂᕐᒧᑦ 1982</u>. ᐊᓪᒪᓗ ᐃᓚᖏᑦ ᓄᓇᑦᓯᓂ ᑲᓇᑕᒥ ᐊᐱᒃᑐᖅᓯᒪᔪᓂ ᐃᓚᖏᑦ ᓄᓇᑖᑦ ᐅᖅᑲᖅᓯᒪᓪᒪᑕ ᐊᖏᕈᑎᖅᑲᕋᔭᖅᒥᓐᓂᒃ ᑖᓐᓇ ᐲᖅᑕᐅᔪᒪᑎᑦᓗᒍ ᑎᑎᕋᕐᓯᒪᓄᑦ. ᒫᓐᓇᐅᔪᖅ ᖅᑲᐅᔨᒪᓐᓇᖏᑦᑐᒪᓗᐊᑦ ᑖᓐᓇ ᐱᓚᑎᐊᒍᓂᐊᑦᒪᖏᑦ ᒫᓐᓇ ᑲᑎᒪᓐᓇᑎᔭᐅᓂᐊᖅᑐᒥ, ᓄᓇᑦᓯᐊᑉ ᒐᕙᒪᒃᑯᖏᑦ ᐅᔾᔨᕈᓱᒃᑲᓗᐊᖅᐳᑦ ᑖᓐᓇ ᐃᑉᐱᒋᔭᐅᓪᒪᑎᑦᓂᖓᓂᒃ ᐲᖅᑕᐅᔪᒪᔪᖅ ᐃᓚᖓᓂ ᑎᑎᕋᕐᓯᒪᓂᖓᓂ 35-ᒥ ᓄᓇᑖᕋᓯᑦᓂᖅ ᐱᐊᓂᒃᐸᑦ ᐊᔪᖏᓐᓂᖅᑲᖅᑎᑦᓯᔪᓐᓇᖅᓂᐊᖅᑎᑦᓗᒍ ᑕᒪᒃᑯᓂᖓ ᓄᓇᑦᓯᓂᑦ.

ᐊᑐᓕᖅᑯᔭᐅᔪᖅ: ᓄᓇᑦᓯᐊᑉ ᒐᕙᒪᒃᑯᖏᑦ ᐃᑲᔪᖅᓯᐃᖅᑯᑉᓗᒥᑦ ᐊᑐᓕᖅᑯᔭᐅᓯᒪᔪᒥᒃ ᐲᖅᑕᐅᖅᑯᔭᐅᑎᓪᓗᒍ ᑎᑎᕋᖅᓯᒪᓂᖓ " ᒫᓇ ᐊᑐᖅᑐᓄᑦ " ᐃᓚᖓᓂ ᑎᑎᕋᖅᓯᒪᓂᐊᓂ 35-ᒥ ᑕᒡᕙᓂ ᒪᓕᒐᕐᔪᐊᒥ ᑐᓐᖓᕕᓕᕆᓂᖅᒧᑦ 1982.

c) ᐅᓂᒃᑳᖅᓯᒪᓂᖓ ᐊᓯᖏᑦ ᐊᔪᖏᓐᓂᑎᔭᐅᔪᑦ ᐊᒻᒪᓗ ᐃᓕᖅᑯᓯᑎᔭᐅᔪᑦ

ᓄᓇᑦᓯᐊᑉ ᒐᕙᒪᒃᑯᖏᑦ ᐊᖏᖅᓯᒪᕗᑦ ᐃᓕᓯᖅᑯᕐᓗᑎᒃ ᐊᔪᖏᓐᓂᑎᔭᐅᔪᓂᒃ ᐃᓕᓯᖅᑯᕐᕗᑦ ᑐᓐᖓᕕᓕᕆᓂᖅᒧᑦ ᐃᓕᔪᓐᓇᖅ ᑕᓕᒫᖏᓐᓂᒃ ᐊᖏᕈᑎᒋᔪᓐᓇᖅ ᑕᓕᒫᖏᓐᓂᓪᓗ ᑲᑎᒪᓂᖅᒥᓐᓂ. ᑲᑎᒪᔾ ᔭᑎᑕᓚᐅᖅᑐᓂ ᐅᓂᒃᑳᑎᔭᐅᔪᑦ ᓇᓗᓇᐃᖅᑎᑦᓯᕗᑦ ᑖᒃᑯᐊ ᐃᓕᖏᑦ ᓄᓇᓖᑦ ᐊᐅᒃ ᑐᖅᓯᒪᔪᓂ ᐃᓕᑕᖅᓯᓯᒪᒻᒪᑕ ᐃᓕᖏᓐᓂᒃ ᑐᖅᓵᑎᔭᐅᔪᒪᔪᓂᒃ, ᖃᐅᔨᒪᔭᐅᑉᓗᑎᒃ ᑖᒃᑯᐊ ᐃᓕᖏᑦ ᑐᖅᓵᑎᔭᐅᔪᒪᔪᑦ ᑐᑭᓕᐅᖅ ᑕᐅᑲᐅᑎᒥᓂᖅ ᐊᔪᖅ ᓇᖅ ᓂᐊᖅ ᒪᑕ ᐊᑐᖅ ᑕᐅᑲᐅᑎᒥᔪᓐᓇᖅ ᓂᐊᖏᑦᓗᑎᒃᓗ. ᑭᓯᐊᓂ, ᑕᒪᒃ ᑯᐊ ᑐᖅᓵᑎᔭᐅᔪᒪᔪᑦ ᐊᔪᖏᓐᓂᖃᖅ ᑎᑦᓯᔪᓐᓇᖅ ᒪᑕ ᐊᑐᐊᓪᓚᑉ ᓴᐅᓂᐊᖅᑐᓂᒃ ᐊᑐᖅ ᑕᐅᓂᐊᖅᑐᓂᒃ ᐅᖃᐅᓯᐅᓂᐊᖅ ᓕᖅ ᐸᑦ ᑕᒪᓐᓇ ᑐᖅᓵᑎᔭᐅᔪᒪᔪᑦ.

ᓄᓇᑦᓯᐊᑉ ᒐᕙᒪᒃᑯᖏᑦ ᑐᐊᕕᖅ ᓇᖅ ᑐᒃ ᑯᑦ ᐃᓕᔭᐅᑲᐅᖅ ᑐᖅᑯᔾᔪᑦ ᐊᔪᖏᓐᓂᑎᔭᐅᓂᐊᖅ ᑐᓂᒃ ᓯᖅᓗ ᒪᑯᓂᖓ ᐊᔪᖏᓐᓂᑎᔭᐅᔪᓂᒃ ᐃᓕᖅᑯᓯᑐᖅᑲᖅ ᒧᑦ ᐅᖅᑲᐅᓯᑐᖅᑲᖅ ᒧᑦ ᐊᒻᒪᓗ ᐊᔪᖏᓐᓂᑎᔭᐅᔪᑦ ᐊᑐᖅᑯᔭᐅᖅ ᓗᓂ ᓄᑖᕆᓄᑦ ᐊᑐᖅ ᑕᐅᔪᒪᔪᑦ ᐃᓕᖅᑯᓯᑐᖅᑲᖅ ᒥᓐᓂᒃ ᐊᑐᕈᒪᔪᑦ. ᐃᓕᑕᑎᔭᐅᓯᒪᔪᓐᓇᖅ ᐸᑦ ᐊᔪᖏᓐᓂᑎᔭᐅᔪᑦ ᑖᒃ ᑯᓇᓂ ᑎᑎᕋᖅ ᑕᐅᓯᒪᔪᓂ ᖁᓛᓂ ᑕᒪᐃᓐᓄᑦ ᐃᓕᑕᑎᔭᐅᓯᒪᓇᔭᖅ ᐸᑦ ᑲᓇᑕᐅᑉ ᒐᕙᒪᒃᑯᖓᓄᑦ ᐊᒻᒪ ᓄᓇᑦᓯᐊᑉ ᒐᕙᒪᒃᑯᖓᓄᑦ, ᐊᒻᒪᓗ ᐃᓯᒪᒋᔭᐅᒋᑉᓗᑎᒃ ᐊᔾᔨᒋᖏᑦᑐᑦ ᓄᓇᓖᑦ ᐱᖁᓯᑐᖃᑦ ᑕᖏᑦ ᐊᔾᔨᒌᖏᓐᓂᖏᓐᓂᒃ.

ᑐᖅᓵᑎᔭᐅᔪᒪᔪᑦ ᐊᖏᖅ ᑕᐅᓐᓂᖅ ᐸᑕ, ᐊᑐᖅ ᑕᐅᔪᓐᓇᖁᔨᖁᑦᑐᐊᑎᕙᑦ ᑖᒃ ᑯᓄᖓ ᐊᑐᖅ ᑕᐅᔪᓐᓇᖏᑦ ᑐᓄᑦ ᐱᓕᕆᐊᕆᔭᐅᔪᓐᓇᖏᑦ ᑐᓄᑦ ᖃᑉ ᓗᓈᑦ ᐊᖑᔾᔭᖅᑕᐅᑎᖏᓐᓂ ᑲᑎᒪᓐᓇᐅᑎᓪᓗᒍ ᐊᖏᕈᑎᒋᔭᐅᔪᓐᓇᖏᑦ ᑐᓂᒃ ᐊᒻᒪᓗ ᐅᔾᔨᕆᔭᐅᓯᒪᔭᕆᐊᖅᑲᖅ ᐸᖅ ᑕᒪᓐᓇ ᑕᐃᒪᓐᓇ ᓇᐃᓚᐅᐱᓪᓚᑐᐃᓐ ᓇᖅ ᓂᐊᖅ ᓂᖓᓂ ᐱᓕᕆᐊᕈᑎᔪᓐᓇᖅ ᓯᒃ ᐸᑦ ᐱᓕᕆᐊᕈᑎ ᓯᐊᓘᑐᐃᓐ ᓇᖅ ᓗᓂ ᑐᖅᑲᐅᑕᐅᖏᓪ ᓗᓂ.

d) ᐊᔾᔨᒌᒃ ᑎᑦ ᓯᓇᓯᐊᖅ ᓂᖅ

ᓄᓇᖃᖅ ᑐᑐᖅᑲᐃᑦ ᐊᖏᖅᑲᑎᒌᒃ ᑐᒃ ᓴᐅᓕᓗᐊᖅ ᐸᑦ ᑕᒪᒃ ᑯᐊ ᓄᓇᖃᖅ ᑐᑐᖅᑲᐃᑦ ᐊᔪᖏᓐᓂᖏᑦ ᐊᑐᖅ ᑕᐅᔪᓐᓇᖅᑯᓗᒥᑦ ᐊᔾᔨᒌᒃ ᑎᑦ ᓗᒥᑦ ᐊᖅ ᓇᖅ ᓄᑦ ᓗ ᐊᖑᑎᓄᑦ ᓗ. ᑲᓇᑕᐅᑉ ᒐᕙᒪᒃᑯᖏᑦ ᐋᖅᑭᒋᐊᖅᑯᔭᓚᐅᖅ ᒪᑕ ᐃᓚᖓᓂ ᑎᑎᕋᖅᓯᒪᔪᒥᒃ 25-ᒥ ᑕᒡᕙᓂ ᒪᓕᒐᖅᔪᐊᒥ ᑐᓐᖓᕕᓕᕆᓂᖅ ᒧᑦ 1982-ᒥ ᑕᒪᓐᓇ ᐱᐊᓂᒃ ᑕᐅᔪᒪᑉ ᓗᓂ, ᐊᒻᒪᓗ ᐅᖃᖅ ᓯᒪᔾ ᒪᑕ ᓐᓂᒃ ᓴᖅ ᓂᐊᖅ ᓂᖓᓂᒃ ᐃᓚᖓᓂᒃ ᑎᑎᕋᖅᓯᒪᔪᒥ 35 ᐊᒻᒪᓗ ᐋᖅᑭᒋᐊᖅ ᑕᐅᔪᖅ ᑕᒪᐃᓐᓄᑦ ᐋᖅᑭᒋᐊᕈᑕᐅᑉ ᓗᒍ ᐃᓚᖓᓂ ᑎᑎᕋᖅᓯᒪᔪᓂ.

ᐊᑐᓕᖅᑯᔭᐅᔪᖅ: ᐃᓚᖓ 25 ᐊᒻᒪᓗ ᐃᓚᖓ 35 ᑐᓐᖓᕕᖅ ᐱᓕᕆᓂᖅ ᒧᑦ ᒪᓕᒐᖅ ᔪᐊᖑᔪᒥᒃ 1982-ᒥ ᐋᖅᑭᒋᐊᖅᑕᐅᖁᔭ ᓗᒍ ᑖᒃ ᑯᐊ ᓄᓇᖃᖅᑳᖅᑐᑦ ᐊᔪᖕᖏᖕᓂᑎᔭᖓᑦ ᑐᕋᖓᓗᑎᒃ ᐊᒃ ᐳᕆᒃ ᑎᑕᐅᓗᑎᒃ ᐊᖑᑎᓄᑦ ᐊᕐ ᓇᓄᓪ ᓗ.

e) ᐊᑐᓕᖅᑎᑕᐅᓂᖏᑦ ᐊᒻᒪᓗ ᑐᑭᖏᑦ

ᐊᑐᓕᖅᑎᑕᐅᓂᖏᑦ ᐅᖃᐅᓯᐅᓂᖏᑦ ᐅᖃᐅᓯᖃᖅᐸᑦ ᐃᓚᖓ 24 ᐊᒃ ᐳᖓᑐᑦ ᐃᑦ ᑐᒥᒃ ᐃᓕᔭᐅ-ᖃᑕᐅᓯᒪᖁᔾᔪᐃᑦ ᓗᓂ ᑐᓐᖓᕕᖕ ᐱᓕᕆᓂᖅ ᒧᑦ ᒪᓕᒐᖅ ᔪᐊᖅ ᒧᑦ ᑖᓐᓇ ᐃᓚᖓ ᐅᖃᐅᓯᖃᖅ ᒪᑦ ᓄᓇᖃᖅᑳᖅᑐᑦ ᐊᔪᕐᖏᕐᓂᖏᑦ ᐊᖏᖅᑕᐅᓯᒪᕐᖏᑉ ᐸᑕ ᐃᖅᑲᖅᑐᐃᕕᐃ ᒧᐊᕈᕐ ᓇᖁᔾ ᓗᒋᑦ ᐋᖅᑭᒃ ᓯᓇᓯᐊᖅ ᓗᑎᒃ.

ᖃᐃ ᓗᓈᖑᕐᖏᑦ ᑐᑦ ᑲᑐᔾ ᐳᖃᑎᖕᖏᑦ ᐃᓕᒋᐊᖅᓯᖁᔾᔪᓚᐅᖅᐸᑦ ᐃᓚᖓᓂᒃ 35-ᒥᒃ ᑖᒃ ᑯᐊ ᓄᓇᖃᖅᑖᖅᑐᑦ ᐊᔪᕐᖏᕐᓂᖏᑦᑕ ᑎᑎᕋᖅᓯᒪᓂᖏᑦ ᑎᑎᕋᖅᑕᐅᑦ ᓯᐊᖅᓯᒪᖁᔾ ᓗᒋᑦ.

ᐊᑐᓕᖅᑯᔭᐅᔪᖅ: ᓄᓇᑦ ᓯᐊᔾ ᒐᕙᒪᒃ ᑯᖏᑦ ᐃᑲᔪᖅᓯᐃᖁᔾ ᓗᒋᑦ ᑐᓐᖓᕕᒃ ᔪᐊᖅ ᒧᑦ 1982-ᒥ ᐋᖅᑭᒃ ᑕᐅᓚᐅᖅᓯᒪᔪᒧᑦ ᐅᑯᓂᖓ ᐃᓕᒋᐊᖁᔾ ᓗᑎᒃ:

a) ᑎᑎᕋᖅᓯᒪᔪᒥᒃ ᑕᒪᒃ ᑯᐊ ᓄᓇᖃᖅᑳᖅᑐᑦ ᐊᔪᕐᖏᕐᓂᖏᑦ ᓯᖁᒥᑕᐅᒃ ᐸᑕ ᐃᖅᑲᖅᑐᐃᕕᐃ ᓂ ᐋᖅᑭᒋᐊᖅᑕᐅᖃᑦ ᑕᒍᓐ ᓇᖁᔾ ᓗᒋᑦ; ᐊᒻᒪᓗ

b) ᑎᑎᕋᖅᓯᒪᔪᒥᒃ ᓄᓇᖃᖅᑐᑐᖃᐃᑦ ᐊᔪᕐᖏᕐᓂᖏᑦ ᑐᑭᓕᐅᖅᓯᒪᑦ ᓯᐊᖅ ᓗᒍ ᑖᑦ ᓯᒪ ᑐᓐᖓᕕᒃ ᔪᐊᖅ ᑎᑎᕋᖅᓯᒪᓂᖏᑦ ᒪᓕᒃ ᓗᒋᑦ.

2. ᐋᖅᑭᒋᐊᖅᑕᐅᓂᖓ

ᓄᓇᑦᓯᐊᑉ ᒪᓕᒐᒃ ᑯᖏᑦ ᐃᑲᔪᖅᓯᐃᓯᒪᔾ ᒪᑕ ᐃᓕᓯᓯᒪᖁᕕᑉ ᓗᓂᒃ ᑐᓐᖓᑉ ᐱᒡ ᔭᐊᕐ ᒍᑦ ᑕᒪᒃ ᑯᐊ ᓄᓇᖃᖅᑲᖅᑐᑦ ᐊᔭᓐᖏᓐᓂᑎᔪᖏᑦ ᐋᖅᑭᒋᐊᖅᑕᐅᔭᓐᓇᖁᓐᖏᑦ ᓗᒋᑦ ᐊᖏᖅᑕᐅᓚᐅᖅᑲᖏᑎᒃ ᓄᓇᖃᖅᑲᖅᓯᒪᔪᓂᒃ. ᖁᐅᔾᒪᓇᓕᕐᒪᑦ ᐋᖅᑭᒃ ᓯᐃᑎᑦ ᓗᒋᑦ ᑲᑎᒪᓂᑎᓂᐊᖅᑕᖓᓐᓂᒃ ᑲᓇᑕᐅᑉ ᐊᐱᒃ ᑐᖅᓯᒪᓂᖏᓐᓂ ᐊᖓᔪᖅᑲᓪ ᒪᕆᑦ ᑖᒃ ᑯᐊ ᐊᖓᔪᖅᑲᓪ ᒪᑎᐅᔪᑦ ᐊᖏᕈᑎᖃᕈᒪᓗᐊᕐ ᓂᐊᖏᑦ ᑐᒃ ᓴᐅᔾ ᒪᑕ ᓇᓪᒥᓂᖅ ᒪᓕᒐᖕᖏᑦ ᑐᑦ ᐊᔭᓐᖏᓐᓂᖃᕈᒪᓂᖏᓐᓄᑦ, ᐱᓗᐊᖅᑐᒥᒃ ᑲᓇᑕᐅᑉ ᒪᓕᒐᒃ ᑯᖏᑦ ᐊᔭᓐᖏᓐᓂᖃᖅᑎᑕᐅᑎᓪ ᓗᒋᖅ ᐃᓚᖓᓂᒃ 38-ᒥ ᐋᖅᑭᒋᐊᖅᑕᐅᓯᒪᔪᒥ.

ᐊᖏᖃᑎᒌᒃ ᓯᒪᔫᔾ ᒪᑕ ᑕᒪᒃ ᑯᐊ ᑲᓇᑕᐅᑉ ᐊᐱᒃ ᑐᖅᓯᒪᓂᖏᓐᓂ ᐊᖓᔪᖅᑳᔾᔪᑦ ᐅᖃᖃᑎᖃᖃᑦ ᑕᖁᓐᓗᒋᑦ ᖃᑉ ᓗᓈᕐᔪᓐᖏᑦ ᑐᑦ ᑲᑐᔾ ᐳᖃᑎᒌᖏᑕ ᓯᕗᓕᖅᑎᖏᓐᓂᒃ ᐋᓯᔾ ᐲᒥᐊᓚᐅᖅᑲᖏᑎᒃ ᓯᓇᑐᐃᓐᓇᕐᓂᒃ ᑐᑯᖓᓂᖃᖅᑐᓂᒃ ᓄᓇᖃᖅᑲᖅᑐᑦ ᐊᔭᓐᖏᓐᓂᑎᔪᖓᓐᓂᒃ. ᑲᓇᑕᐅᑉ ᒪᓕᒐᒃ ᑯᖏᑦ ᑲᑎᒪᖁᔨᓯᒪᔪᑦ ᑲᓇᑕᐅᑉ ᐊᐱᒃ ᑐᖅᓯᒪᓂᖓᓂᒃ ᐊᖓᔪᖅᑲᓪ ᒪᑎᖏᓐᓂᒃ ᑕᒪᒃ ᑯᐊᓗ ᖃᑉ ᓗᓈᕐᔪᓐᖏᑦ ᑐᑦ ᑲᑐᔾ ᐳᖃᑎᒌᖏᑦ ᓯᕗᓕᖅᑎᖏᑦ ᖃᐅᔨᔪᐅᓯᒪᑉ ᓗᑎᒃ ᐅᖃᐅᓯᑎᔪᐅᓂᐊᓕᖅᐸᑦ ᓄᓇᖃᖅᑲᖅᑐᑦ ᐊᔭᓐᖏᓐᓂᑎᔪᖏᑦ ᒥᒃ ᓵᓄᑦ ᑐᑯᖓᔭᑦ ᐋᖅᑭᒋᐊᖅᑕᐅᓂᐊᓕᖅᐸᑕ. ᑲᓇᑕᐅᑉ ᐊᑐᐊᓚᖓ ᐃᓚᐅᔭᓐᓇᖅᑎᑦ ᓯᖏᓪ ᒪᑦ ᓄᓇᑦᓯᐊᑉ ᓗ ᔫᑳᓐ ᓗ ᒪᓕᒐᒃ ᑯᖏᓐᓂᒃ ᑕᒪᒃ ᑯᓂᖓ ᑲᑎᒪᔾ ᔭᑎᖃᑉ ᓂᐊᖅᑎᑦ ᓗᒋᑦ ᑕᒪᒃ ᑯᐊ ᑲᓇᑕᐅᑉ ᐊᐱᒃ ᑐᖅᓯᒪᓂᖏᑦ ᐃᓚᐅᖁᔨᓚᓗᐊᖅᑎᑦ ᓗᒋᑦ ᓚ ᓄᓇᑦᓯᐊᑉ ᓗ ᔫᑳᓐ ᓗ ᒪᓕᒐᒃ ᑯᖏᓐᓂᒃ.

ᐊᑐᓕᖁᔪᐅᔭᖅ: ᐃᓚᐅᖃᑕᐅᖁᔪᐅᓐᖏᒃ ᑲᓗᐊᖅᑎᑦ ᓗᒋᑦ ᓄᓇᖃᖅᑲᖅᑐᑦ ᐋᖅᑭᒃ ᕿᐅᓂᐊᖅᑎᑦ ᓗᒍ ᐅᖃᐅᓯᖃᖅᑐᖅ ᓄᓇᖃᖅᑲᖅᑐᑦ ᐊᔭᓐᖏᓐᓂᖏᓐᓂᒃ, ᓄᓇᑦᓯᐊᑉ ᒪᓕᒐᒃ ᑯᖏᑦ ᐃᑲᔪᖅᓯᐃᔪᑎᐊᖃᖅᐳᑦ ᑖᒃ ᑯᐊ ᐅᖃᖃᑎᒋᔪᐅᖅᑳᑎᐊᖃᑉ ᓂᖏᓐᓂᒃ ᔫᑳᓐᒥᐅᓂᒡ ᓗ ᓄᓇᑦᓯᐊᑉ ᒥᐅᓂᒡ ᓗ.

3. <u>ᓇᒻᒥᓂᖅ ᒪᓕᒐᕐᓂᖅ</u>

ᑖᓐᓇ ᓇᓗᓂᕈᑕᐅᒐᑦ ᑕᖅᓯᒪᕐᒪᑦ ᓯᕗᓪᓕᖅᑳᕐᒥᒃ ᐋᖅᑭᒃ ᓯᐃᓂᐅᔪᒥᒃ ᑲᑎᒪᓂᖅᑎᑦᓗᒥᑦ. ᐊᒥᓱᑦ ᑲᓇᑕᐅᑉ ᐊᐱᒃ ᑐᖅᓯᒪᓂᖏᑦ ᐊᖏᕈᑎᖃᖕᖏᓪᒪᑎᑦᒪᑕ ᓇᒻᒥᓂᖅ ᒪᓕᒐᖃᕈᒪᓂᑉᑎᑦᓂᒃ ᐃᓚᖏᑦ ᐅᖃᕈᒪᓐᖏᑎᑦᓗᒥᑦ ᐊᖏᕈᑎᖃᑦᒪᖏᑦᒥᒃ ᐅᖃᖅᓗᑎᒃ ᑐᑭᓯᐊᓐᖏᓗᐊᑦᓂᕆᖅᓗᑎᒃ.

ᓇᒻᒥᓂᖅ ᒪᓕᒐᖁᕈᒪᓂᖅᐸᑦ ᐅᖃᐅᓯᑎᑉᐅᖏᓐᓇᑦ ᓂᐊᖅᑐᒃ ᓴᐅᒍᖅ ᑲᑎᒪᓂᐅᒐᑦᑕᑦᓂᐊᖅᑐᓂ. ᑲᓇᑕᐅᑉ ᒪᓕᒐᒃ ᑯᖏᑦ ᐅᖃᖅᓯᒪᔪᒪᑕ ᐃᓚᒥᐊᖅᓯᖁᔭᑉᓗᑎᒃ ᐃᓚᖓᓂ 37-ᒥ ᓇᒻᒥᓂᖅ ᒪᓕᒐᖅᐸᓪᓕ-ᐊᓂᕐᒥᒃ ᐅᖃᐅᓯᖅᑐᒥᒃ. ᑐᓐᖓᕐᐱᓪ ᔭᐊᕐᒥᒃ ᑕᐃᒪᓐᓇ ᑎᑎᕋᖅᓯᒪᔭᖅᐸᑦ, ᐃᖅᑲᖅᑐᐃᑉ ᐱᑉᒥ ᐊᑐᓕᖅᑎᑕᐅᔪᓐᓇᖏᒃ ᑲᓗᐊᖅᑎᑦᓗᒥᑦ, ᑕᒪᒃ ᑯᐊ ᑲᓇᑕᒥ ᒪᓕᒪᓕᐃᑦ ᑕᒪᑐᒥᖓ ᐱᓕᕆᐊᒃᑎᐊᒃ-ᒃᑲᑦ ᑕᕿᔭᖅᒪᑕ ᐊᑐᖅᓂᒃᓪᒪᑎᒃ ᑐᒥᒃ ᓄᓇᒃᑲᖅᑳᖅᑐᓄᑦ.

4. ᐲᖅᑕᐅᓂᖓ ᐃᓚᖓᑕ 4(1)(e) ᐊᒻᒪᓗ (f)

ᑖᒃ ᑯᐊ ᓄᓇᑦᓯᐊᖅ ᒪᓕᒐᒃ ᑯᖏᑦ ᐅᖃᐅᓐᓇᖃᑦᑕᖅᒪᑕ ᐲᖅᓯᖁᔭᑉᓗᑎᒃ 42(1)(e) ᐊᒻᒪᓗ (f)-ᒥᒃ. ᑖᓐᓇ ᐃᓚᖓᑦ 42(1) (e) ᐅᖃᐅᓯᖃᖅᒪᑦ ᑲᓇᑕᐅᑉ ᐊᐱᒃ ᑐᖅᓯᒪᓂᖏᑦᑕ ᓄᓇᖏᑦ ᐃᓚᒥᐊᖅᑕᐅᔪᓐᓇᖅᓂᖓᓂᒃ ᓄᓇᑦᓯᐊᕐᒥᑦ ᐊᒻᒪᓗ ᔫᑳᓐᒥᑦ ᐅᖃᖃᑎᒋᔭᐅᓪᓚᕆᒃᑳᖅᑎᓐᓇᒥᓪᓘᓐᓃᑦ ᑖᒃ ᑯᐊ ᓄᓇᑦᓯᐊᕐᒥᐅᑦ ᔫᑳᓐᒥᐅᓪᓗ. ᐃᓚᖓᓂ 42(1)( ) ᐅᖃᐅᓯᖃᖅᒪᑦ ᓅᑖᒥᒃ ᐊᐱᒃ ᑐᖅᓯᒪ-ᓂᖅᑖᕈᓐᓇᖅᒪᑕ ᑖᓐᓇ <u>ᑐᓐᖓᕐᐱᓪ ᔭᐊᖅ</u> ᐋᖅᑭᒋᐊᖅᑕᐅᓗᓂ ᑕᒪᐃᓐᓂᑦ ᐊᖏᖅᑕᐅᓯᒪᒃᐸᑦ.

ᑲᓇᑕᐅᑉ ᒐᕙᒪᒃ ᑯᖏᑦ ᐃᑲᔪᖅᓯᐃᓯᒪᒐᓗᐊᖅᑎᓪᓗᒋᑦ ᐲᖅᑕᐅᔭᒪᓂᖏᓐᓂᒃ ᑖᒃ ᑯᐊ ᑎᑎᕋᖅᓯᒪᔪᑦ, ᑲᓇᑕᐅᑉ ᐊᕕᒃ ᑐᖅᓯᒪᓂᖏᑦ ᐊᖏᕈᑎᖃᕈᒪᖃᑦ ᑕᖏᒻ ᒪᑕ ᓴᓐᖏᓂᖅᑖᑎᓚᐅᖅᑕᖏᑦ ᑐᓐᖓᕐ ᐱᒡ ᔭᐊᕐᒥ 1982-ᒥ ᑭᒡ ᓕᖃᖅᑎᑕᐅᔭᒪᓂᖏᓐᓂᒃ. ᐊᒥᓱᑦ ᑲᓇᑕᐅᑉ ᐊᕕᒃ ᑐᖅᓯᒪᓂᖏᑦ ᐅᖃᖃᑦ ᑕᖅᓯᒪᒻ ᒪᑕ ᑖᒃ ᑯᐊ ᒪᕐᕉᒃ ᑎᑎᕋᖅᓯᒪᔫᒃ ᐊᑉ ᐳᐅᖏᑦ ᑐᒥᒃ ᑲᒪᒋᔭᐅᖁᒃ ᓗᒥᑦ. ᐃᓚᖏᑦ ᐊᕕᒃ ᑐᖅᓯᒪᔪᓂ ᐊᓪᔪᖅᑳᑦ ᐊᖏᕈᑎᖃᖅᓯᒪᒻ ᒪᑕ ᑖᓐᓇ ᑎᑎᕋᖅᑕᐅᑦ ᓯᐊᑉ ᑲᓐᓂᖁᒃ ᓗᒍ ᐃᓚᖓ 42(1)(e), ᑭᓯᐊᓂ ᑖᑉ ᓯᒪ ᐃᓚᖓ 42(1)(f) ᐲᖅᑕᐅᔭᒪᓂᖓ ᐊᖏᕈᑎᒋᔭᐅᔭᒪᓐᖏᒪᑦ.

ᑭᖑᓪᓕᕐᒥᒃ ᑲᑎᒪᑎᓪᓗᒋᑦ ᒥᓂᔅᑕᐃᑦ, ᓄᓇᑦᓯᐊᑉ ᒐᕙᒪᒃ ᑯᖏᑦ ᑐᓂᐅᖅᑲᐃᓚᐅᖅᓯᒪᒻ ᒪᑕ ᐋᖅᑭᒃᓯᕈᑕᐅᔭᒪᔪᒥᒃ ᑖᒃ ᑯᓄᖓ ᒪᕐᕈᐃ ᓄᑦ ᑎᑎᕋᖅᓯᒪᔪᐃᑦ ᓄᑦ ᐅᖃᐅᓯᒃ ᓴᑐᐃᓐᓇᐅᓂᐊᕐ ᓗᓂ. ᐱᔭᕇᖅᑕᐅᓗᒍ 42(1)(f), ᐅᖃᐅᓯᒃ ᓴᐅᔪᒃ ᓴᖅ ᑖᓐᓇ ᐃᓚᖓᑦ ᐱᖅᑕᐅᖁᒃ ᓗᒍ ᐊᒻᒪᓗ ᐃᓚᖓ 43 ᑎᑎᕋᖅᑕᐅᒃ ᑲᓐᓂᖁᒃ ᓗᒍ ᑕᒃ ᑯᐊ ᓄᓇᑦᓯᐊᑦ ᓘᓐᓃᑦ ᔫᑳᓐ ᓘᓐᓃᑦ ᐊᐱᕆᔭᐅᖅᑳᖃᑦ ᑕᕿᓐᓇᖁᒃ ᓗᒥᑦ ᐊᕕᒃ ᑐᖅᑕᐅᓯᒪᓂᖓᑕ ᑭᒡ ᓕᖏᑦ ᐋᖅᑭᐊᖅᑕᐅᓛᖅᑳᖅᑎᓐᓇᒥᑦ. ᐊᖏᖃᑎᒌᒃ ᓯᒪᔫᔮᖅᐸᑦ ᑖᓐᓇ ᐃᓚᖓ 43 ᑎᑎᕋᖅᑕᐅᒥᐊᒃ ᑲᓐᓂᖁᒃ ᓗᒍ. ᑭᓯᐊᓂ, ᑎᑎᕋᖅᓯᒪᓂᖓᑕ ᐋᖅᑭᐊᕈᑎᖓ ᓈᒻ ᒪᒋᔭᐅᓐᖏᑉ ᐸᑦ, ᑖᓐᓇ 42(1)( )ᐋᖅᑭᐊᖅᑕᐅᖏᓪ ᓗᓂ ᑎᑎᕋᖅᓯᒪᓂᖓ ᐋᖏᕈᑕᐅᔭᓐᓇᖅ ᒪᑦ; ᑭᓯᐊᓂ ᐊᖏᖃᑎᒌᒃ ᓯ-ᒪᓗᑎᒃ ᑕᒪᒃ ᑯᐊ ᓄᓇᑦᓯᐊᑉ ᔫᒃ ᑳᓐ ᓗ ᒐᕙᒪᒃ ᑯᖏᑦ ᐊᖏᖅᓯᒪᔭᑎᐊᖃᑦ ᓂᖏᓐᓂᒃ ᐊᕕᒃ ᑐᖅᓯᒪᔪᑦ ᐃᓚᒥᐊᖅᑕᐅᓂᐊᑦ ᓂᖏᓐᓂᒃ ᓄᓇᑦᓯᐊᑦ ᒥᑦ ᔫᑳᓐ ᒥᓘᓐᓃᑦ.

ᑲᓇᑕᐅᑉ ᐊᕕᒃ ᑐᖅᓯᒪᓂᖏᑦ ᐊᑭᖅᑐᕐ ᒪᑎᒃ ᑎᓪᓗᒋᑦ ᐲᖅᑕᐅᔭᒪᓂᖓᓂᒃ ᐋᓚᖓᑕ 42(1)(f), ᓄᓇᑦᓯᐊᑉ ᒐᕙᒪᒃ ᑯᖏᑦ ᐅᖃᐅᓯᒃ ᓴᖃᖅᑎᑦ ᓯᔪᑦ ᑖᒃ ᑯᐊ ᐃᓚᖏᑦ 38 ᐊᒻᒪᓗ 42 ᐊᒻᒪᓗ 46 ᑎᑎᕋᖅᑕᐅᒃ ᑲᓐᓂᖁᒃ ᓗᒍ. ᑖᓐᓇ ᐋᖅᑭᐊᖅᑕᐅᖁᔭᐅᔅ ᒪᑦ 46 ᓄᓇᑦᓯᐊᖅ ᔫᑳᓐ ᓗ, ᐃᓚᒥᔭᐅᓗᑎᒃ ᑲᓇᑕᐅᑉ ᒐᕙᒪᒃ ᑯᖏᑦ, ᓇᒻᒥᓂᖅ ᒐᕙᒪᖃᓕᖁᓐᓇᖁᒃ ᓗᒥᑦ. ᐊᒻᒪᓗ, 42 ᐋᖅᑭᐊᖅᑕᐅᓗᓂ

ᓄᑖᒥᒃ ᓇᒻᒥᓂᖅ ᒐᕙᒪᒃᑯᓐᓂᒃ ᓄᓇᑖᕈᓐᓇᖁᔨᓪᓗᒋᑦ ᑭᓯᐊᓂ ᑐᓴᐅᑉᐱᓕᕆᓂᖅ ᒍᑦ ᑲᑎᒪᓂᖅ-ᓚᐅᖅᑲᖅᑎᑦᓗᒋᑦ ᐃᓕᒥᔪᐅᓗᑎ ᑲᓇᑕᐅᑉ ᐊᖓᔪᖅᑳᓪᒪᑎᖓ, ᑲᓇᑕᐅᑉ ᐊᕕᒃ ᑐᖅᓯᒪᓂᖏᓐᓂ ᐊᖓᔪᖅᑳᓪᒪᑎᑦ ᐊᒻᒪᓗ ᓄᓇᑦᓯᐊᕐᒥ ᔫᑳᓐᒥᔫᓂᑦ ᒐᕙᒪᒃ ᑯᓐᓂᖅᑯᖅᓯᒪᔪᓂᑦ ᓇᒻᒥᓂᖅ ᒐᕙᒪᑖᕈᒪᔪᑦ. ᑭᖑᓪᓕᖅᒥᒃ, ᐋᖅᑭᒋᐊᖅᑕᐅᔪᖅᑲᖅ ᓂᐊᖅᐸᑦ ᐊᑐᖅᑕᐅᖃᑦ ᑕᖅᑐᖅ ᐋᖅᑭᒋᐊᖅ ᓂᐅᔪᓘᑦ ᐊᑐᖅᑕᐅᓗᓂ, ᑭᓯᐊᓂ ᓄᓇᑦᓯᐊᖅ ᔫᓐᓃᑦ ᔫᑳᓐ ᔫᓐᓃᑦ ᓇᒻᒥᓂᖅ ᒐᕙᒪᑖᕐᓯᒃ ᑐᖅ ᓇᒻᒥᓂᖅ ᒐᕙᒪᒃᑯᓯᕐᓇᖅᐸᖅ ᒪᓕᒃ ᓗᒍ ᐋᖅᑭᒋᐊᕈᑕᐅᔪᖅ. ᑭᖑᓪᓕᖅᒥᒃ ᓄᓇᑦᓯᐊᖅᒥᐅᑦ ᔫᑳᓐᒥᐅᑦ ᔫᓐᓃᑦ ᐋᖅᑭᒃ ᓯᕆᐊᖅᑯᕐᓂᑦ ᓗᒍᑦ, ᑲᓇᑕᐅᑉ ᐊᕕᒃ ᑐᖅᓯᒪᓂᖏᑦ ᐊᑭᖃᖅᑐᖅ ᓂᐊᖅᑐᒃ ᓴᐅᑉ ᒪᑕ ᐊᒻᒪᓗ ᐱᔪᒪᔪᕐᑦ ᐃᓕᖓᑦ ᑐᓂᔪᑎᐊᖅ ᓂᐊᖅᑕᒃ ᓴᑎᒐᖅᑎᒍ ᐱᔪᒪᓪ ᓚᑎᒃ ᑕᕗᑦ ᐱᓂᐊᖅ ᓗᒍ.

ᑕᐃᒪᑦ ᑕᐅᖅ ᐊᑕᐅᓯᖅᒥᒃ ᐅᖃᐅᓯᖃᑎᒋᐊᖃᖃᑕ. ᒪᓕᒃ ᓗᒋᑦ ᑎᑎᖃᖅᓯᒪᓂᖏᑦ ᐃᓕᖓᓂ 41-ᒥ ᑐᓐᖓᐸ ᕕᒃ ᔭᐊᖅᒥ ᐋᖅᑭᒋᐊᖅᑕᐅᓂᐊᖅᐸᑦ ᐃᓕᖓ V ᐊᑦᖅᑕᐅᔪᑎᐊᖅᑲᖅ ᓂᐊᖅᒪᑦ ᑲᓇᑕᒥ ᒪᓕᒐᓕᐅᖅᑕ-ᐅᔪᓂᒃ ᖃᐅᔨᓴᖅᑏᓂᑦ, ᑲᓇᑕᐅᑉ ᑲᑎᒪᔩᖅ ᔭᐊᕐᓇᓂᑦ ᐊᒻᒪᓗ ᐊᕕᒃ ᑐᖅᓯᒪᔪᓕᒫᓂᑦ. ᑕᐃᒪ ᖃᐅᔨᒪᔪᐅᑦ ᓚᑎᒥᐊᖃᖅᐸᖅ ᐊᑕᐅᓯᖅᒥᒃ ᐊᕕᒃ ᑐᖅᓯᒪᔪᒥᒃ ᐊᑦᓐᖏᑦ ᑐᖃᖅᐸᑦ ᐊᑐᓕᕐᖁᔪᐅᔪᒥᒃ, ᐅᖃᐅ-ᓐᓂᑦ ᒪᓕᒐᓕᐅᖅᑎᒥᒃ ᓄᑦ ᐅᖃᐅᓯᑎᔪᐅᔭᒪᓐᖏᐸᑦ, ᓄᓇᑦᓯᐊᑦ ᒐᕙᒪᒃ ᑯᑦᑎᑦ ᐊᑐᓕᖁᔪᖓ ᐊᑦᖅᑕᐅᓇᔪ-ᓐᖏᓪᒪᑦ ᑲᓇᑕᐅᑉ ᒐᕙᒪᒃ ᑯᑦᓐᓂᑦ ᐃᑲᔪᖅᓯᖅᑕᐅᓯᒪᒐᓗᐊᖅᑎᓪᓗᒋᑦ ᐊᓯᑦᓐᓂᓪᓗ ᑲᓇᑕᐅᑉ ᐊᕕᒃ ᑐᖅᓯᒪᓂᑦᓐᓂᑦ.

ᐊᑐᖅᑕᐅᓕᖁᔭᖅ: ᐱᒃᔪᑎᖓ: ᐃᓚᖓ 42(1)(e) ᑖᒃ ᑯᐊ ᓄᓇᑦ ᓯᐊᕐ ᒪᓕᒃ ᑯᖏᑦ

ᐊᖅᑭᒋᐊᕈᓐᓇᖁᓐᓄᕆᑦ ᐃᓚᖓᓂ 42(1) (e)-ᒥ ᑐᖓᕕᒃ ᔪᐊᒥ 1982-ᒥ ᐃᒻᒪᓐᓇ:

a) ᐱᖅᑕᐅᔪᓂ 42(1)(e) ᐊᒻᒪᓗ ᐅᖃᐅᓯᖏᑦ ᐊᖅᑭᐊᔪᕆᑦ ᐃᓚᖓᓂ 43-ᒥ ᐊᔪᕐᖏᓐ ᓂᖅᑯᖑᔪᕆᑦ ᓄᓇᑦ ᓯᐊᕐ ᓚᓕᒪᓕᑕᐅᖅᑎᓐᖏᑦ ᐊᖅᑭᐊᖅᑕᐅᓚᐅᖏᓐᓂᖏᓂ ᓄᓇᑦᓯᐊᕐᒥ - ᐊᕕᒃ ᑐᓯᒪᓂᖏᓐᓗ ᑭᓪ ᓚᒃ ᓴᑎᔭᓐᖏᑦ.

ᐊᑐᖅᑕᐅᓕᖁᔭᖅ: ᐱᒃᔪᑎᖓ: ᐃᓚᖓ 42(1) (f) ᑖᒃ ᑯᐊ ᓄᓇᑦ ᓯᐊᕐ ᒪᓕᒃ ᑯᖏᑦ

ᐊᖅᑭᒋᐊᕈᓐᓇᖁᓐᓄᕆᑦ ᐃᓚᖓᓂ 42(1)(f)-ᒥ ᑐᖓᕕᒃ ᔪᐊᒥ 1982-ᒥ ᐱᑕᖃᑎᒃ ᑎᑭᐊᓗᑎᒃ:

a) ᐊᖅᑭᒋᐊᕈᓐᓇᖁᓗᑭᑦ ᓄᓇᑦ ᓯᐊᕐᒥ ᐊ[illegible]ᖃᑎᒋᐊᖃᑦᑕᕐ ᓂᕐ ᐸᑦ ᓄᑖᖑᔪᓂᑦ ᐊᕕᒃ ᑐᓯᒪᔪᓂᑦ ᓄᓇᑦ ᓯᐊᕐᒥ ᔩᒐᓐ ᒥᓗᓐ ᓃᑦ;

b) ᐊᕕᒃ ᑐᓯᒪᔪᓂ ᐊᖏᔪᒃᑲᑦ ᑲᑎᒪᓂᖓᓂ ᐱᖃᑕᐅᓗᑎᒃ ᓂᕈᐊᖅᑕᐅᓯᒪᔪᑦ ᑭᓪ ᒪᑐᖅᑎᐅᔪᑦ ᒪᓕᒃ ᑯᓐ ᓄᑦ ᐱᔪᓐᓇᑐᐊᖃᑕ ᓄᓇᑦ ᓯᐊᕐᒥ ᐊᒻᒪᓗ ᔩᒐᓐ ᒥᑦ ᐊᖅᑭᐊᓚᐅᖏᓐᓂᖏᓂ ᓄᑖᖑᔪᓂᑦ ᐊᕕᒃ ᑐᓯᒪᔪᓂᑦ ᓄᓇᑦ ᓯᐊᕐᒥ ᐅᐸᓗᓐ ᓃᑦ ᔩᒐᓐ ᒥ,

c) ᐊᖅᑭᐊᖃᖅᑐᖃᓐ ᓂᖅᐸᑦ ᐊᖅᑭᓯᒍᑕᐅᓂᐊᖅᑐᒥᑦ ᓄᑖᖑᔪᒥᑦ ᐊᕕᒃ ᑐᓯᒪᔪᒥᑦ, ᓄᓇᑦ ᓯᐊᖅ ᓇᒻᒥᓂᖅ ᒪᓕᒐᖃᕈᓐᓇᕐ ᓂᕐ ᐸᑦ ᐃᓯᒪᒋᔭᐅᓗᑎᒃ ᓇᒻᒥᓂᖅ ᒪᓕᒐᖓᓂᖏᓐᓂᑦ ᐱᒃ ᔪᑎᒋᑦ ᓗᒍ ᐊᖅᑭᐊᕈᑦ.

5. ᐊᖅᑭᐊᕈᑕᐅᔪᑦ ᐃᓚᖓᓂ III-ᒥ

ᑖᓐᓇ ᑲᑎᒪᒃ ᔪᑎᒃ ᓴᐃᔪᖅ ᐅᖃᓯᒪᔪᑕᖅᑯᖅ ᓇᓕᖃᑎᒌᑎᐊᒃ ᑎᑎᒪᓯᐊᕐ ᓂᒥᑦ ᐊᑭᓕᒍᑕᐅᕙᒃ ᑐᓂᒃ, ᑲᑦ ᑐᐳᖃᑕᓂᕐ ᒥᑦ ᐊᑭᐅᔪᓂᒃ ᐊᒻᒪᓗ ᐊᐅᓚᓂᖃᑦ ᑎᒃ ᑎᓂᒥᒃ ᓄᓇᖃᑦ ᑐᑐᖃᐅᔪᓐ ᓃᑦ. ᐅᖃᐅᓯᐅᔪᑦ ᐅᖃᐅᓯᖃᓪᓚᑕ ᐅᖃᖃᑎᒌᑭᐊᖃᓐ ᓂᖏᑦ ᑲᓇᑕᐅᕐ ᒪᓕᒋᓐᖏᑦ ᐊᒻᒪᓗ ᐊᕕᒃ ᑐᓯᒪᓂᐅᔪᐃᑦ ᖃᓄᑎᒥᑦ ᑲᒪᒋᔭᖃᑎᒋᐊᖃᓪᓚᖓᒥᒃ ᐃᑲᔪᑎᒃ ᓴᐅᔪᓂᒃ ᑮᓇᐅᔭᓂᒃ ᐊᒻᒪᓗ ᐱᓕᕆᐊᖑᔪᓂᑦ ᖃᑦ ᑐᓈᖑᓐ ᖏᑐᓄᑦ.

ᓄᓇᕘᖕᑲᖕᑐᑦ ᑲᑦᑐᒃ ᐆᕝᕕᑎᒋᔪᑦ ᐅᕙᖕᓯᒪᒻᒪᑕ ᑖᒃ ᑯᐊ ᐃᓚᐅᖅᑯᓐᓗᒋᑦ ᐃᓚᖓᓂ III-ᒥ ᐅᕙᐅᓯᕙᓪᒪᑕ ᑖᒃ ᑯᐊ ᒪᓕᒐᓕᑎᓂᕐᒧᑦ ᐱᓕᕆᐊᕆᔭᐅᔭᕆᐊᖃᑦᑐᓂᒃ ᑐᕋᕋᒥᔭᐅᒪᓯᐊᕐᑐᓂᒃ. ᐅᕙᐅᓯᕆᔭᐅᔪᒪᔪᐊᑦ ᐊᔾᔨᒋᓂᕘᑦᑎᑎᒥᓪᒪᑕ ᐊᒻᒪᓗ ᐃᖕᑲᑦᑐᐃᐱᒃ ᑯᑦ ᐱᓕᕆᐊᕆᔭᐅᔾᔪᓇᖃᕆᒃ. ᑖᒃ ᑯᐊᓕ ᐊᕿᑦ ᑕᐅᑲᐅᑎᒥᒃ ᔭᖏᓖᑦ ᐊᐱᒃ ᑐᓯᒪᔪᓂ ᐊᔾᔭᕘᑦ ᑲᑎᒪᓂᖕᖏᓂ ᐊᒻᒪᓗ ᐊᑯᖕᓂᐅᔪᒥᑦ ᐊᕿᑦ ᑕᐅᓇᓱᖕᓂᐊᖕᑐᒃ ᓴᐅᓴᖕ. ᐃᓯᒪᒋᔭᐅᓴᓪᓕ, ᑖᒃ ᑯᐊ ᐅᕙᐅᓯᐅᔪᑦ ᐃᓕᔭᐅᓂᐊᒃ ᑐᒃ ᓴᐅᓴᑦ ᐃᓚᖓᓂ II-ᒧᑦ ᑖᒃ ᑯᐊ ᐊᔾᔨᒋᓂᐅᔪᑦ ᐊᑐᓕᕐ ᑕᐅᔪᖕᓇᓂᐊᕐᒪᑕ.

6. <u>ᐊᑯᖕᓂᐅᔪᒧᑦ ᐱᓕᕆᐊᕆᔭᐅᔪᑦ</u>

ᓄᓇᑦ ᓯᐊᑉ ᒐᕙᒪᒃ ᑯᖕᖏᑦ ᐃᑲᔪᕐ ᓯᓯᒪᒻᒪᑕ ᑕᒡ ᕙᓂ ᑐᖓᕕᓕᑎᓂᐅᔪᒥ ᐊᕿᑕᐅᓯᒪᓂᖓᓂ ᐊᑯᓂᐅᔪᒧᑦ ᐱᓕᕆᐊᖑᒐᓗᐊᖕᐸᑦ ᓯᕗᓂᒃ ᓴᒧᑦ ᐃᓯᒪᒋᔭᐅᖕᓗᓂ ᐊᐱᒃ ᑐᓯᒪᓂ ᐊᔾᔭᕙᔾᑕ ᑲᑎᒪᓂᖓᓂ ᑲᑎᒪᒃ ᔭᑕᐅᔪᖕᓇᓂᐊᕐᒪᑕ ᓄᓇᕗᑦ ᑐᑐᕙᐃᑦ ᐊᔾᔨᒋᓂᔾᔨᑦ. ᑲᓇᑕᐅᑉ ᒐᕙᒪᒃ ᑯᔾᔨᑦ ᐊᒻᒪᓗ ᑲᓇᑕᐅᑉ ᐊᐱᒃ ᑐᓯᒪᓂᖕᖏᑦ ᐊᕿᑭᐊᕐᑯᐳᓯᒪᒻᒪᑕ ᒪᓕᒋᐅᑉ ᐃᓚᖓᓂ 37-ᒥ ᑖᒃ ᓯᒧᖓ ᑲᑎᒪᓂᐅᓂᐊᕐ ᑐᒥ ᓯᕗᓂᒃ ᓴᒥ. ᒪᓐᓇᐅᔪᓪᓕ, ᑖᒃ ᑯᐊ ᐃᓯᒪᒋᔭᐅᔪᑦ ᐊᒃ ᐆᒥᔪᓕᕐ ᓯᒪᒻᒪᑕ ᑲᑎᒪᓂᐅᕙᑦ ᑕᖕᑐᒥ ᐊᕐ ᕋᒍᑕᓖᑦ ᐊᑦ ᑕᐅᓯᐊᕐ ᑐᑎᒃ ᑲᑎᒪᖏᒃ ᑐᑎᒃ ᐊᕐ ᕋᒍᓄᑦ ᑕᖕ ᓕᒫᓄᑦ ᐊᑦ ᑕᐅᓯᐊᕐ ᑐᑎᒃ ᑲᑎᒪᓗᑎᒃ ᐊᕐ ᕋᒍᓄᑦ ᒪᕐ ᕉᓐ ᓄᑦ ᓴᒃ ᓯᓄᑦ (6) ᐊᕐ ᕋᒍᓄᑦ ᑎᑭᑦ ᑐᒍ. ᑖᒃ ᑯᐊ ᐊᒥᓯᐊᕐ ᑎᓐ ᓂᖏᑦ ᐊᒻᒪᓗ ᐊᑯᓂᐅᓐ ᓂᖏᑦ ᐊᖏᕐᑲᑎᒋᒍᑕᐅᔪᓐ ᓇᑐᒃ ᓴᐅᔪᑦ. ᓄᓇᑦ ᓯᐊᑉ ᒐᕙᒪᒃ ᑯᖕᖏᑦ ᐃᑲᔪᒃ ᓯᓯᒪᒻᒪᑕ ᐊᑐᓕᖅᑯᔭᐅᔪᓐ ᓂᑦ ᑲᑎᒪᓃᑦ ᑭᓪᓕᒥᐅᑕᖕ ᓂᓴᐅᓕᕐ ᓗᑎᒃ, ᐃᓯᒪᒋᓪ ᓗᒋᑦ ᐊᐱᒃ ᑐᓯᒪᓃᑦ ᐊᖏᔾᔪᖕ ᖏᑦ ᑲᑎᒪᓂᖏᑦ ᐊᑲᐅᖕᖏᓂᓪ ᓕᐅᕈᑎᕘᑦ ᑎᒃ ᑎᓂᐊᖏᓪᓕᖕ ᐃᖃᐃᔭᖕᑎᐅᔪᓂᒃ ᐊᒻᒪᓗᑕᐅᖕ ᐊᖏᕐᑲᑎᒥᒐᓯᐊᕐ ᓂᖏᓄᑦ ᒪᓕᒐᐅᔪᐃᑦ ᐊᒻᒪᓗ ᐅᑭᐅᖕᑕᖕᑐᒥ ᕿᓪ ᓗᓈᖑᖏᓄᑦ ᑲᑦᑐᕝᕕᑎᒋᓄᑦ.

ᑖᒃ ᑯᐊ ᑲᓇᑕᐅᑉ ᒐᕙᒪᒃ ᑯᖕᖏᑦ ᐊᒻᒪᓗ ᐊᐱᒃ ᑐᓯᒪᓂᐅᔪᑦ ᐅᕙᖕᓯᒪᒻᒪᑕ ᓇᒪᓴᒃ ᑐᑎᒃ ᐃᓕᔭᐅᓂᐅᒪᔭᖕᑐᓂᒃ, ᔫᑎᔅ ᑲᓚᒻᒥᐊ (British Columbia) ᐃᓯᒪᓯᒪᒻᒪᑕ ᐊᕿᑦ ᑕᐅᓂᑎᔭᖕᖏᑦ ᐊᕿᒥᐊᕐᑎᐅᔭᐃᑦ ᑐᖕᖓᕕᓕᑎᓂᕐ ᒧᑦ, ᑖᓐ ᓇᓗ ᐊᕿᒥᐊᕐᑕᐅᔪᖕ ᐊᑎᓕᐅᕐ ᑕᐅᓗᓂ ᒪᓕᒐᓕᐅᖕᑎᓕᒫᓄᑦ ᐊᕿᕋᕐ ᑐᑎᒥᒃ ᑐᓐ ᓄᑦ ᐊᐱᒃ ᑐᓯᒪᔪᑦ ᐊᔾᔭᕙᔾᑕ ᑲᑎᒪᓂᖕᖏᑦ ᐱᔭᑎᕐ ᐸᑦ. ᐊᕿᒥᐊᕐᑕᐅᔫᑉ ᐊᕿᓯᒪᓐ ᓂᖏᑦ ᐃᓚᐅᑎᒃ ᑎᓈᕐᓐᓇᖕᐳᖕ ᒪᓕᒐᓕᐅᖕᑎᓕᒫᑦ ᐊᕿᕋᑦ ᑑᑎᒥᒃ ᑐᑦ ᐊᑯᓂᐅᔫᑉ ᑯᑦ ᐱᓕᕆᐊᕐᑎᔭᖕᖏᓄᑦ. ᐊᐅᓚᒃ ᑎᑭᒃ ᑯᑦ ᑲᑎᒪᕐᕌᓗᖏᑦ ᐊᖏᖅᑯᕐᓯᒪᔭᑦ ᓄᓇᑦ ᓯᐊᑉ ᒪᓕᒐᓕᐅᖕᑎᑯᖏᓐ ᓂᑦ ᑖᓐ ᓇ ᐊᕿᒥᐊᕐᑕᐅᔪᖕ ᐅᒃ ᑐᕋᑎᑐᐃᓐ ᓇᐅᒪᓖᑦ ᑭᓯᐊᓂ ᐊᕿᒥᐊᕋᓪ ᒥᑦ ᑐᓐ ᓄᑦ ᐊᐱᒃ ᑐᓯᒪᔪᑦ ᐊᔾᔨᕐ ᓂᕐ ᒥᑦ ᑲᔪᓯᑎᒃ ᑎᒃ ᐸᑕ. ᑕᐃᒪᓐ ᓇᐃᑎᓪ ᓗᒍ ᐊᑐᓐ ᓂᕘᖃᔭᕐ ᒪᑦ ᐊᑯᓂᐅᔪᒃ ᑯᑦ ᐱᓕᕆᐊᕐᑎᓪ ᓗᒍ ᐊᕿᒥᐊᕐᑕᐅᔪᖕ. ᐊᒻᒪᓗᑕᐅᖕ, ᐃᓚᖓᓂᒃ ᑐᖕ 39-ᒥ <u>ᑐᓐ ᖓᕕᒃ ᔭᐊᒥ 1982-ᒥ</u>

ᐆᖃᐅᓯᐅᓯᑎᑏᑦᖃᓯᕐᕿᓯᖅ ᐊᕝᕿᐊᕈᑕᐅᓯᒪᔪᖅ ᑐᕐᕋᐱᓕᑎᓂᑦ ᒧᑦ ᐊᑦ ᕋᒍᒧᑦ ᐊᑦ ᑕᐅᓯᖅ ᓅᕝᔪᐅᕆᓂᕐᓂ ᐊᕆᑕᐃᖃᑕᑎᖅᑐᕿᑦ ᐊᑐᓕᖅᑯᐅᔭᐃᑦ ᐊᕝᕿᐊᖅᓯᐊᖅᓕᐊᑎᖅᑐᕿᑦ ᕿᓯᐊᓂ ᐊᐱᒃ ᑐᓯᒪᔭᐃᑦ ᒪᓕᒐᓕᐅᖅᑎᖅᕆᑦ ᑲᔪᓯᑎᒃ ᑎᓂᕐ ᐸᑕ ᐊᑐᓕᖅᑯᐅᔭᖅᓂᒃ ᐊᕆᖅᑐᑎᒃ ᐊᒃ ᑳᑐᑎᖅᑐᓂᑦ. ᐊᑦᑕᐅᓯᖅ ᐊᐱᒃ ᑐᓯᒪᔪᖅ ᐊᕆᖅᓂᒥᕐᐸᑦ ᐱᒃ ᔭᑎᖃᖅᑐᓂ ᐊᕝᕿᐊᖅᑕᐅᓯᒪᒃ ᔪᑎᐅᔭᒥᑦ ᒪᓕᒃᑎᒍᑦ, ᐊᕝᕿᐊᕈᑕᐅᔪᖅ ᓄᖃᖅᓯᒪᓚᐳᖅᐸᖅ ᐊᕐ ᕋᒍᒧᑦ ᐊᑦ ᑕᐅᓯᕐ ᒧᑦ.

ᐊᑐᓕᖅᑯᐅᔪᖅ:

1) ᑖᒃ ᑯᐊ ᓄᓇᑦᓯᐊᕐ ᒪᐊᓚᒃ ᑯᖕᕆᑦ ᐊᑯᓂᐅᔪᒧᑦ ᐱᓕᕆᐊᒃ ᓴᒧᑦ ᐊᕝᓯᑎᑎᒪᐃᖕ ᓇᖅᑯᐳᑎᒃ ᑐᕐᕋᐱᓕᑎᓂᕐ ᒧᑦ 1982-ᒥ.

2) ᑖᓐᓇ ᐊᕝᕿᐊᕈᑕᐅᔪᖅ ᐊᑎᓕᐅᑦ ᑕᐅᓂᐊᕐ ᐳᖅ, ᐅᖃᓯᒪᔭᑎᐊᖅᐳᖅ ᐅᒃ ᑐᕈᑎᑐᐃᖕ ᓇᐅᑐᓂ ᐊᓯᒪᑐ ᐊᕝᕿᐊᕈᑦ ᒪᐊᓚᐅᔪᓂᑦ ᐱᓕᕆᐊᑎᔭᐅᔪᑦ, ᕿᓯᒻ ᒥᐅᔪᑯᖅᑐᓂ, ᐆᑎᕈᑕᐅᑐᓂ ᐊᕝᕿᐊᕈᑕᐅᔪᒧᑦ, ᐃᓯᕿᐊᖅᑕᐅᓂᐅᔭᖕᑐ ᐊᑯᓂᐅᔪᒧᑦ ᐱᓕᕆᐊᑎᔭᐅᔪᖅ, ᐃᓱᒪᒃ ᓴᓯᐅᕈᑕᐅᔭᑎᐊᖃᐳᖅ ᒪᓕᒐᒥᑎᒍᑦ.