

Laws and Rights Questions

1. **How will First Nations who ratify the Education Agreement be affected by any federal education legislation?**

Once the education agreement takes effect, the First Nations will be completely unaffected by any changes to federal education laws. The First Nations will be self-governing in education, and will make their own education laws.

2. **Does the Education Agreement provide the Participating First Nations' members with "special privileges" or "rights" that other Canadians do not have?**

No. The education agreement has nothing to do with individual rights or privileges. It simply recognizes that First Nations will make their own education laws, just as Canadians do.

3. **What will happen to the *Indian Act* when the Participating First Nations begin passing education laws?**

The Indian Act is law and will remain in effect. But the education sections of the Indian Act will not apply to the First Nations that join the Anishinabek Education System.

4. **Will the Charter of Right and Freedoms apply to the Participating First Nations and their members?**

Yes. The Charter of Rights and Freedoms already applies to First Nations and their members. That will not change.

5. **Will the Criminal Code and federal laws with respect to human rights and the environment still apply to the Participating First Nations and their members?**

Yes. The Criminal Code, human rights laws and environmental laws already apply to First Nations and their members. That will not change.

6. **Are non-Anishinabek Nation members living on-reserve affected by the Education Agreement?**

Anyone who lives on reserve and goes to an on-reserve school will be affected by the First Nation's education laws and decisions. These laws and decisions apply to everybody on reserve, whether they are Anishinabek Nation members or not.

7. **Whose education laws will apply on reserve?**

A First Nation's education laws will apply on its reserve.

8. **How does a First Nations education law work with provincial and federal laws?**

The First Nations law prevails. But there are special exceptions. For example, in a conflict between the First Nations law and the Criminal Code of Canada, the Criminal Code will apply. The Charter of Rights and Freedoms is another example.