



BILL NO. 148

Government Bill

*1st Session, 64th General Assembly
Nova Scotia
71 Elizabeth II, 2022*

An Act to Recognize, Promote and Support the Revitalization and Reclamation of the Mi'kmaw Language

CHAPTER 5
ACTS OF 2022

**AS ASSENTED TO BY THE LIEUTENANT GOVERNOR
APRIL 22, 2022**

The Honourable Karla MacFarlane
Minister of L'nu Affairs

*Halifax, Nova Scotia
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An Act to Recognize, Promote and Support the Revitalization and Reclamation of the Mi'kmaw Language

WHEREAS the Mi'kmaq have inhabited Mi'kma'ki, including the land now known as Nova Scotia, since time immemorial;

AND WHEREAS the Mi'kmaw language was the first language used in the land now known as Nova Scotia;

AND WHEREAS the Mi'kmaw language is fundamental to the worldviews and self-determination of the Mi'kmaq, including their customs, values, traditions, knowledge, laws, identity, culture, spirituality and relationships to the land;

AND WHEREAS the relationship between the Province of Nova Scotia and the Mi'kmaq of Nova Scotia is reflected in the spirit and intent of the Peace and Friendship Treaties and upheld through ongoing positive and collaborative work on the recognition and revitalization of Mi'kmaw culture, language and traditions;

AND WHEREAS the Mi'kmaw language and culture are included in the agreements that established the Tripartite Forum and the Made-in-Nova Scotia Process between the Mi'kmaq of Nova Scotia, the Government of Nova Scotia and the Government of Canada;

AND WHEREAS the final report of the Royal Commission on Aboriginal Peoples, the Truth and Reconciliation Commission Calls to Action, the United Nations Declaration on the Rights of Indigenous People and the National Inquiry into Missing and Murdered Indigenous Women and Girls' Calls for Justice recognize the preservation, revitalization, promotion and protection of Indigenous languages as integral to Indigenous identity and well-being;

AND WHEREAS after the United Nations' International Year of Indigenous Languages (2019), the United Nations Educational, Scientific and Cultural Organization (UNESCO) declared 2022-2032 as the Decade of Indigenous Languages to preserve, revitalize and support Indigenous languages;

AND WHEREAS efforts to preserve and protect the vitality of the Mi'kmaw language contribute to the enrichment of Mi'kmaw knowledge as well as to the preservation of cultural diversity, biodiversity and spirituality;

AND WHEREAS there is an urgent and pressing need to support the efforts of the Mi'kmaq to preserve, reclaim, revitalize, maintain and strengthen the Mi'kmaw language;

AND WHEREAS there is a desire for the Province of Nova Scotia to support the Mi'kmaq of Nova Scotia in the revitalization, protection and promotion of their language;

AND WHEREAS the Mi'kmaq are best placed to take the leading role in reclaiming, revitalizing, maintaining and strengthening the Mi'kmaw language;

AND WHEREAS the Mi'kmaq of Nova Scotia are the rightful stewards and teachers of their own language and are best positioned to identify and implement mechanisms for preserving, relearning, revitalizing and promoting their language;

AND WHEREAS the Government of Nova Scotia recognizes that all relations with the Mi'kmaq of Nova Scotia must be based on the recognition and implementation of their right to self-determination, including the inherent right of self-government; whose interpretation and implementation remain under discussion between the Mi'kmaq of Nova Scotia, the Government of Nova Scotia, and the Government of Canada;

AND WHEREAS the recognition and implementation of rights related to the Mi'kmaw language are at the core of reconciliation;

AND WHEREAS the Government of Canada has enacted the *Indigenous Languages Act* and this Act is intended to be complimentary to that Act and to enhance the cooperation between the Mi'kmaq, the Government of Canada and the Government of Nova Scotia;

THEREFORE be it enacted by the Governor and Assembly as follows:

- 1 This Act may be cited as the *Mi'kmaw Language Act*.
- 2 The purpose of this Act is to
 - (a) recognize the Mi'kmaw language as the original language of the Province;
 - (b) enable long-term collaborative relationships and ensure government support for the preservation, revitalization, promotion and protection of the Mi'kmaw language for generations to come;
 - (c) enable a collaboratively developed strategy between the Mi'kmaq of Nova Scotia and the Government of Nova Scotia for the promotion, protection and revitalization of the Mi'kmaw language;
 - (d) establish a Mi'kmaw Language Committee with membership of the Government of Nova Scotia, the Mi'kmaq of Nova Scotia and other members to ensure continued collaborative and positive relationships in recognition of the shared priority of the preservation, revitalization and protection of the Mi'kmaw language; and
 - (e) increase the visibility of the Mi'kmaw language across the Province.
- 3 In this Act,
 - (a) "Committee" means the Mi'kmaw Language Committee established under Section 5;
 - (b) "Mi'kmaw Kina'matnewey" means Mi'kmaw Kina'matnewey as created pursuant to an Act of the Parliament of Canada, on April 22, 1999;
 - (c) "Minister" means the Minister of L'nu Affairs.
- 4 (1) This Act does not derogate from the inherent aboriginal or treaty rights of the Mi'kmaq.

(2) This Act does not affect any jurisdiction or responsibility of the Government of Canada respecting the Mi'kmaq or the Mi'kmaw language.

5 (1) The Minister shall, in collaboration with the Mi'kmaq of Nova Scotia, as represented by Mi'kmaw Kina'matnewey, establish a joint committee, to be known as the Mi'kmaw Language Committee, for the co-development of a Mi'kmaw language revitalization strategy.

(2) The functions of the Committee are to

(a) establish a multi-year strategic plan, within areas of provincial jurisdiction, for the revitalization of the Mi'kmaw language in the Province;

(b) establish tools to measure and assess progress of Mi'kmaw language revitalization;

(c) identify and secure the resources needed to support the strategic plan; and

(d) periodically review and update the strategic plan.

(3) In addition to its functions under subsection (2), the Committee may make additional recommendations to the Government of Nova Scotia and the Mi'kmaq, as represented by Mi'kmaw Kina'matnewey, as the Committee determines appropriate.

(4) The Committee shall develop its own terms of reference, subject to the approval of the Minister and the Mi'kmaq, as represented by Mi'kmaw Kina'matnewey.

(5) The terms of reference developed under subsection (4) may include

(a) the Committee's rules of procedure;

(b) the quorum required for a meeting of the Committee; and

(c) the frequency and locations of meetings of the Committee.

(6) The Committee is composed of

(a) four members appointed by the Minister;

(b) four members appointed by Mi'kmaw Kina'matnewey;

(c) one member appointed by each of the 13 Mi'kmaw communities in the Province; and

(d) up to four other members, jointly appointed by the Minister and Mi'kmaw Kina'matnewey, representing other communities and organizations.

(7) Each member of the Committee is appointed for a term of three years and may be re-appointed.

(8) A member of the Committee remains a member after the expiry of the member's term until re-appointed or a successor is appointed.

(9) The Minister and the Mi'kmaq of Nova Scotia, as represented by Mi'kmaw Kina'matnewey, may each appoint a member of the Committee as co-chair.

6 This Act has effect on and after October 1, 2022, (Treaty Day) upon the Governor in Council so ordering and declaring by proclamation.
