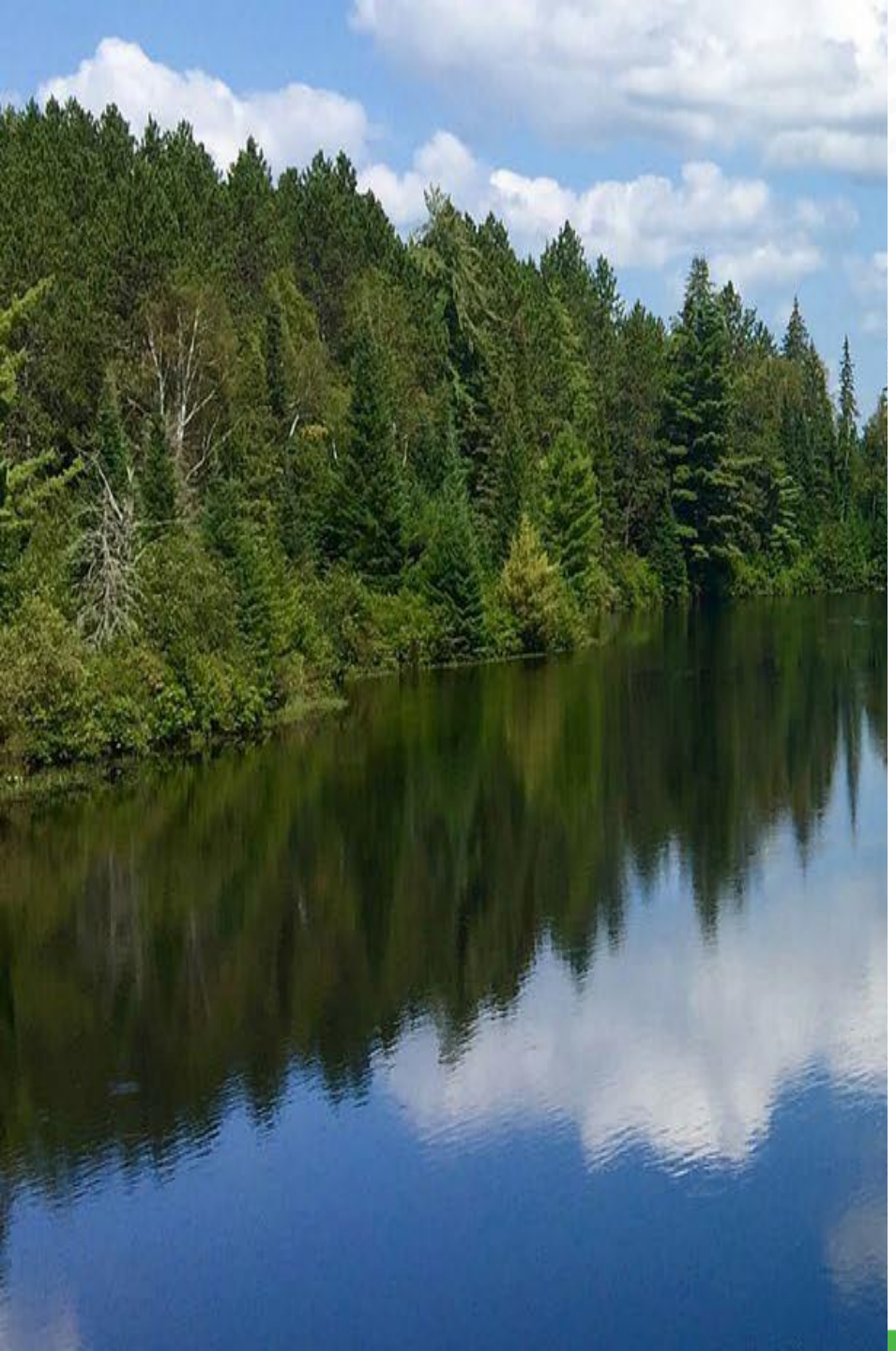


Policy 101 for Land Managers

January 28, 2026

Ian Gilmour, Cora Bunn, Catalyste+

Ontario Aboriginal Lands Association



Policy 101 Learning Objectives

1. Describe the **policy hierarchy** and policy **life cycle** as they apply to **land management**
2. Describe the **policy regimes and instruments** that govern **First Nation land management**
3. Describe the **structure** of a land **policy and procedure** document
4. Apply these concepts to the **Land Transfer Request case study**
5. **Use the handouts** from this webinar to **train other community members**

Prior policy knowledge of topic

Poll Questions

1. What is your current level of knowledge about policies and instruments that govern First Nation land management operations?
2. What is your current level of knowledge about developing and maintaining a land management policy and procedure document?

Choices

- No knowledge
- Basic understanding
- Moderate understanding
- Advanced understanding
- Expert

What is a Policy and Why It Matters

A **policy** is a formal **statement** of **principles** and **intentions** guiding decisions and actions within a specific domain (e.g. self government or land management).

- It answers **“What do we do and why?”**
- **Policy Statements** require “Instruments” to implement the directions that they set (e.g. a land code) and supporting tools (operational level aids such as standard operating procedures).

GOC Land Management Policy Statement Examples

Policy Source	High-Level Policy Statement
Principles Respecting Canada's Relationship with Indigenous Peoples (GOC)	Achieve reconciliation through a renewed, nation-to-nation relationship based on recognition of rights, respect, co-operation, and partnership.
Framework Agreement on First Nation Land Management	Support First Nations in resuming the authority to govern their lands and environment through community-approved land codes.
Indigenous Stewardship Policy (Parks Canada)	Strengthen Indigenous connections with protected lands, waters, and ice within their traditional territories, treaty lands, and ancestral homelands.
Integrated Aboriginal Policy Framework (Fisheries and Oceans Canada)	Foster respectful and mutually beneficial relationships with Aboriginal groups to support healthy and prosperous communities.

“Big-P” vs. “small-p” policy

Big-P	Small-p
High-level direction that government has a mandate to implement based on electoral commitments, cabinet or council decisions and strategic priorities. • Comes from a recognized authority (government, formal leadership). • Establishes rules of the game for others. • Is binding, structural, or system-shaping. • Operates at the level of principles, mandates, or strategy. • Sets direction.	Informal, operational, or locally enacted decisions that guide practice within the boundaries those authoritative decisions set. • Comes from *lower-level actors* (programs, organizations, communities, staff). • Shapes *practice*, but within the constraints of higher-level authority. • Is often *technical, interpretive, procedural,* or *implementation-oriented*. • Operates at the level of *methods, routines,* or *local decisions*. • Enables *execution*.

Policy Hierarchy

Name	Definition	Purpose	Examples
Policy Statement	Broad, high-level declaration of principles and goals.	Sets vision, principles, and high-level goals.	Vision/Mission Statements Strategic Goals Principles or Values White Papers
Policy Instrument	Formal mechanisms to implement policy.	Provides legal and administrative mechanisms to achieve policy goals.	Legislation Regulations Standards Fiscal Measures
Supporting Tools	Operational aids that help apply instruments effectively.	Enables practical implementation and operational consistency.	Standard Operating Procedures Templates & Checklists Digital Systems

What is a Policy Instrument?

A **policy instrument** is a tool or mechanism used to implement or enforce policies.

It answers **“What gives this policy authority?”**

Examples:

- **Treaties** (e.g., historic agreements between First Nations and the Crown)
- **Legislation** (e.g., Indian Act)
- **Regulations** (specific rules under legislation)
- **Agreements** (e.g., land use agreements)

In short:

- Policy = the rule or guideline you create and apply locally.
- Policy instrument = the authority or framework that governs or legitimizes that policy.

Indigenous Land Management Governance

Regime	Legal Basis	Territory	Governance Model
Indian Act / RLEMP	Indian Act	Reserve lands	Minister-led; delegation possible, but constrained
FNLMA / FAFNLM Act (Land Code)	Framework Agreement FAFNLM Act	Reserve lands	Community-developed land laws via Land Code
Comprehensive Self-Government	Constitution Act, (Section 35) Negotiated agreements	Reserve and broader traditional territory	Full jurisdiction over land, resources, governance

? Land Management Governance Polling

Question:
Which stage best describes your First Nation's current land management governance?

Choices

1. Indian Act — Full ISC control
We are still operating under all land-related sections of the Indian Act.

2. Indian Act – RLEMP Operational
We are still under the Indian Act but improving our operational policies and procedures.

3. Indian Act – RLEMP Delegated Authority
We have delegated authority under sections 53/60 to make and implement land management decisions. Our policies and procedures reflect that authority.

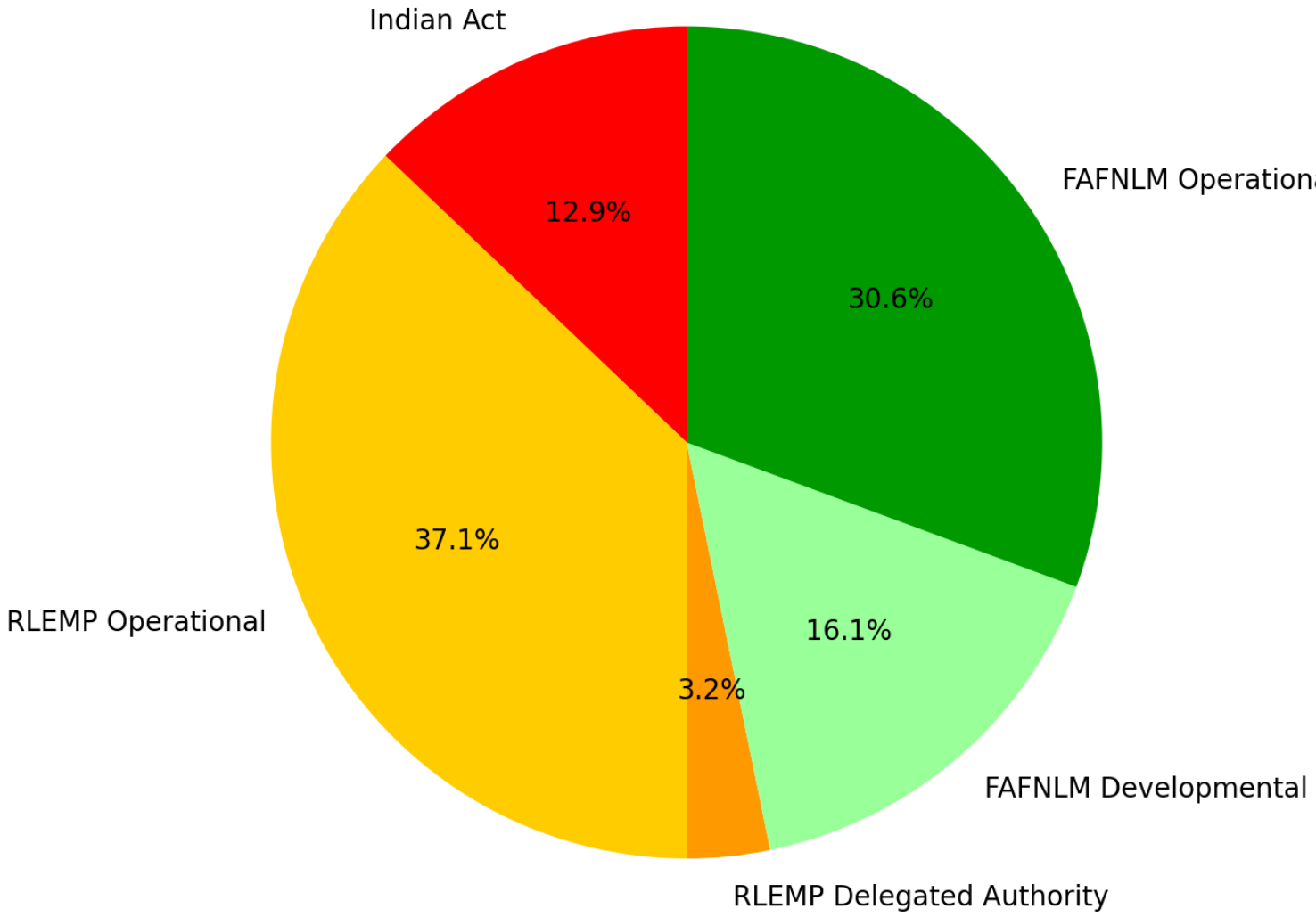
4. FAFNLMA — Developmental Phase
We are drafting our Land Code or preparing for ratification.

5. FAFNLMA — Operational (Land Code Approved)
Our Land Code is approved and in force; we now exercise land governance authority.

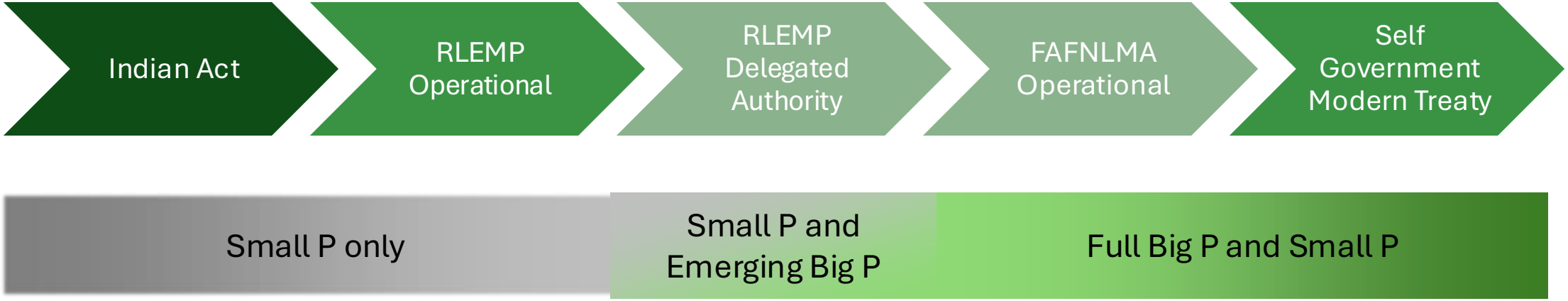
6. Beyond FAFNLMA — Modern Treaty or Self-Government
We have broader governance authority over land under a treaty or SG agreement.

7. I'm not sure

Land Governance Regimes – OALA Members



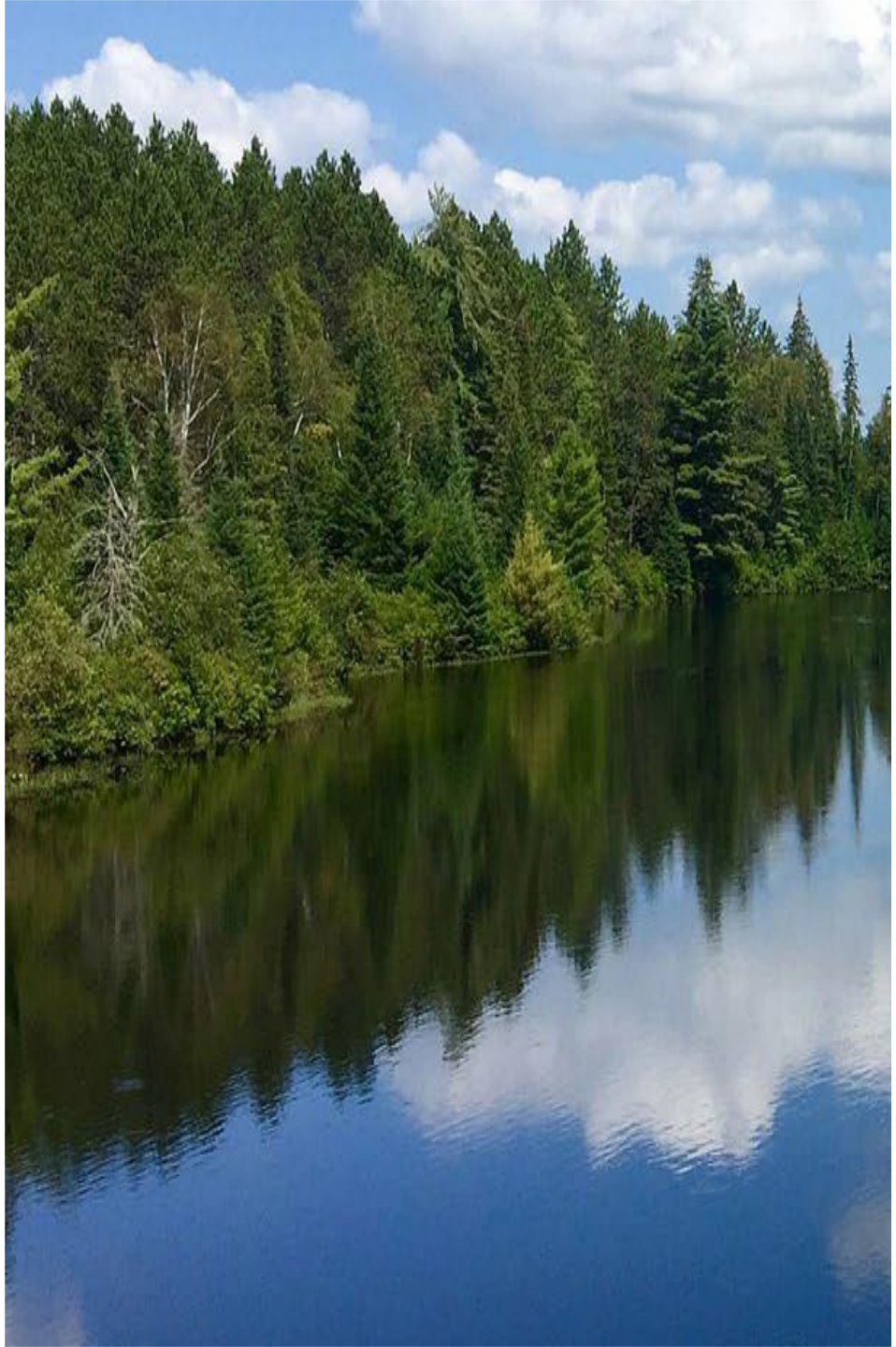
Policy Journey toward Self Governance



Land Management Supporting Tool Examples

Supporting Tool Type	Example
Technical Tool	GIS Mapping Systems for Traditional Territories
Capacity-Building Tool	Training Modules under RLEMP
Information Tool	Environmental Assessment Guidelines for First Nations
Engagement Tool	Community Consultation Frameworks
Standard Operating Procedures (SOPs)	SOP for Land Transactions under a First Nations Land Code

Subject of our case study



Case Study: Writing a Land Transfer Policy and Procedure

Scope

Policy and Procedure document for a Land Transaction Request

Definition

The reassignment of rights or interests in reserve land from one party to another (e.g., between band members).

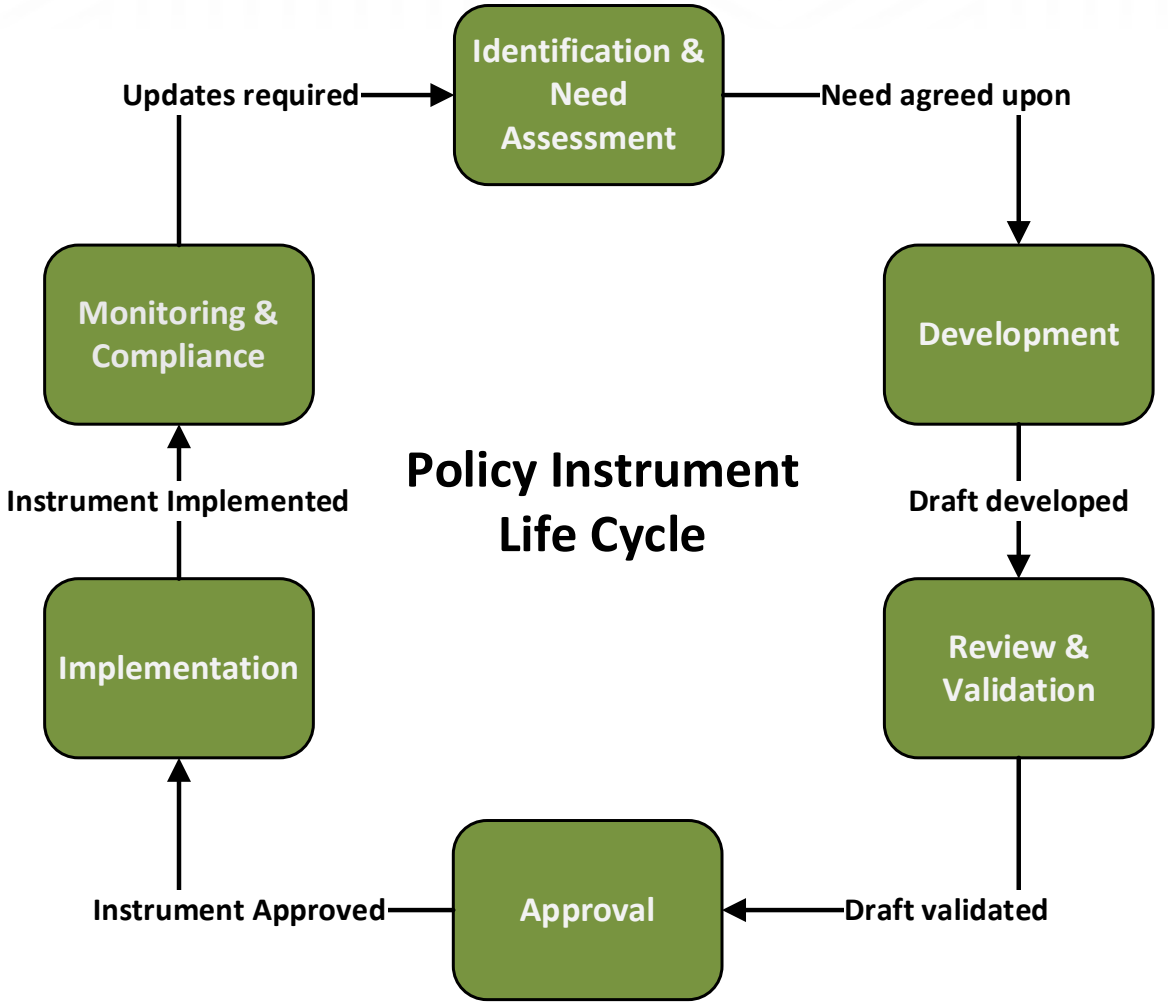
Land Management Regimes

- Under the Indian Act, ISC approval is required.
- Under a Land Code (FAFNLM Act), the First Nation manages the process
- Indigenous self-government and modern treaties is out of scope for this case study.

Questions about land transfer request

1. Does your First Nation currently have a policy and procedure document that defines how to process a land transfer request?
2. What value can a land transfer request policy and procedure provide for land management in your First Nation?

Life Cycle of a Policy and Procedure



Life Cycle Polling

Poll 1: Challenges

- Which phase of the policy & procedure life cycle is the most challenging for your First Nation today?

Poll 2: Supports

- Where would additional tools, templates, or guidance most help your community improve policy & procedure work?

Answer choices (use Zoom “single choice”):

1. Identification & Needs Assessment
2. Development (Drafting)
3. Review & Validation
4. Approval
5. Implementation
6. Monitoring & Compliance
7. Review & Update

Land Transfer Policy Life Cycle Discussion

Phase	Key Activities
Identification & Need Assessment	• Determine need for procedure • Gather input from stakeholders and experts.
Development	• Draft SOP steps, • Align with policies and regulations, including compliance requirements.
Review & Validation	• Internal review • Stakeholder consultation • Ensure cultural and legal compliance.
Approval	• Formal sign-off by governing authority • Establish version control.
Implementation	• Train staff • Publish/distribute documentation • Integrate procedure into operational workflows.
Monitoring & Compliance	• Ensure adherence to policy and procedure • Identify gaps during operational audits.
Review & Update	• Periodic review • Revise and re-approve updated versions.

Land Transfer Life Cycle Supports Discussion

Phase	Key Support Tools
Identification & Need Assessment	• Web searches and AI for research
Development	• AI for drafting, editing and proofreading • OALA Quick Reference Guide for Land Transactions (under the Indian Act) • Shared policy and procedure library under FAFNLMA
Review & Validation	• SharePoint, Google Drive or Drop Box for file sharing
Approval	• PDFs and electronic signatures
Implementation	• Web publishing of policy and procedure • Web links to PDFs
Monitoring & Compliance	• Transaction registries and transaction audits or reviews
Review & Update	• Date stamping on policy (date issue, date of next review)

Land Management Policy & Procedure Structure

Section	Definition
Purpose	Purpose of this policy and procedure document.
Scope	Define the scope of this policy.
Policy Statement	State the governing principle.
Authority	Reference the legal and governance basis.
Definitions	Provide definitions for key terms
Procedure	Provide step-by-step instructions.
Forms and Attachments	Include references to forms and attachments
References	List relevant references

Questions about case study structure

- Purpose
- Scope
- Policy Statement
- Authority
- Definitions
- Procedure
- Forms and Attachments
- References

1. What questions do you have about the suggested structure of a land transfer request policy and procedure?
2. Are there other sections that your First Nation typically includes in a policy and procedure document?

Land Transfer Differences under Two Acts

Aspect	Indian Act	FAFNLM
Legal Authority		
Governing Instruments		
Community Approval Requirements		
Registry System		
Key Differences		

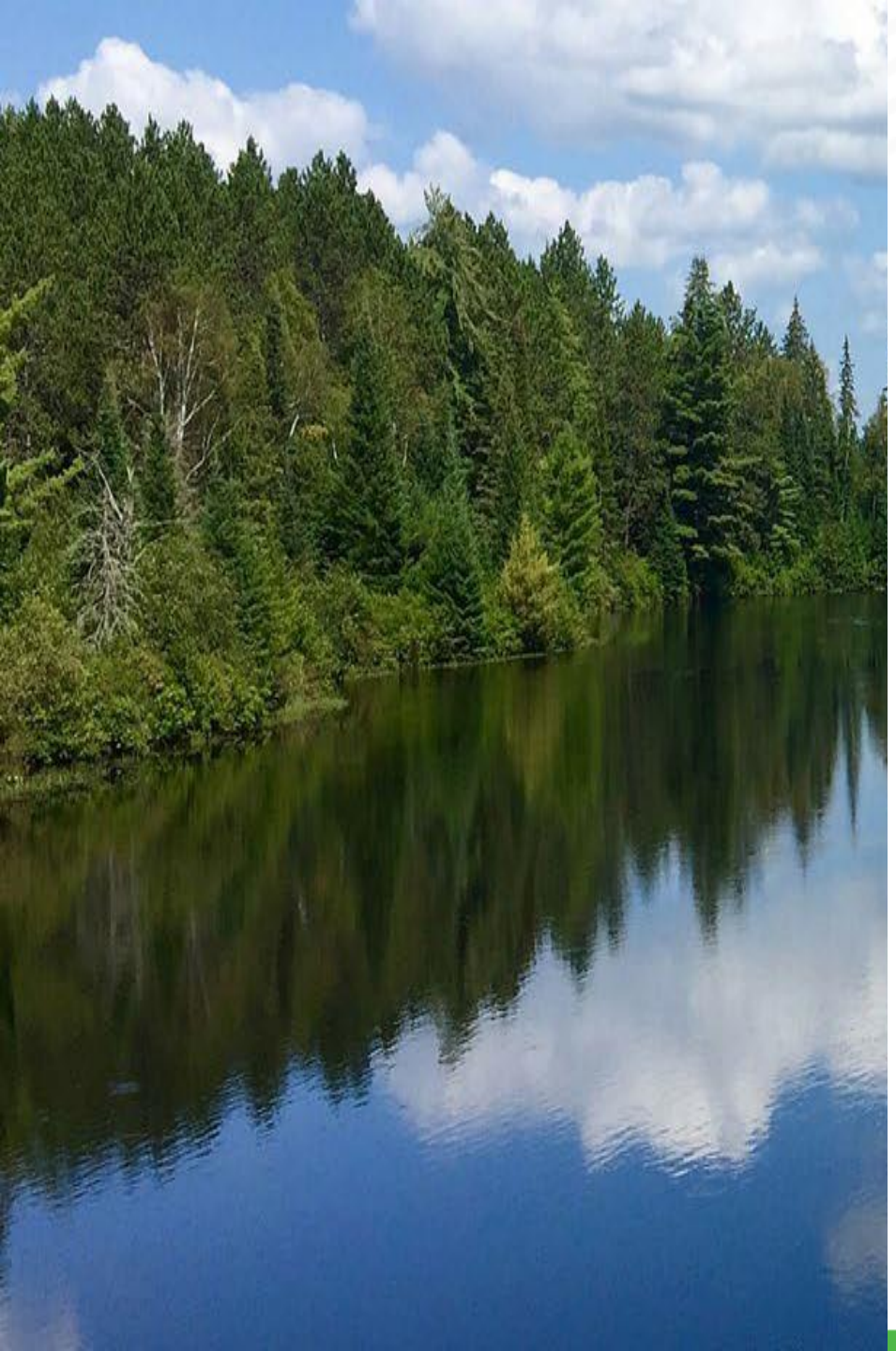
Policy 101 Training Aids



Webinar Presentation Slides



Policy 101 Handout



Closing:
Policy 101 Learning Objectives

1. Describe the policy hierarchy and policy life cycle
2. Describe the policy regimes that govern First Nation land management
3. Describe the structure of a land policy and procedure document
4. Apply these concepts to the Land Transfer Request case study
5. Use the handouts from this webinar to train other community members

Questions about learning objectives

1. Which of these learning objectives were most helpful for you today?
2. Which ones do you feel you need more help with as a land manager?



Miigwech/Niaiwin!

Ontario Aboriginal Lands Association